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House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty third Day

Forty Third Day

Wednesday, January 3d 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN,~~ KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 37

Being a quorum of the House.

Absent Messrs Chacon, Gotthelf, Green, Griffin, Irwin, Lake, Langford, Luther — McMurray, Moss, Ransom, Seiber — 12

Mr Griffin was granted leave of absence from ~~to~~ day to day on account of sickness in his family.

Messrs Gotthelf, Simmons, Ransom, Chacon, Lake, Langford, and Seiber were excused from attendance upon todays session of the House.

Journal of the previous days — session was read and approved.

The Committee on Enrollment presented the following report;

Mr Speaker;

Your Committee on Enrollment have examined H.B. No. 11. An act to provide

for the holding of two or more Terms of the Supreme Court of the State of Colorado annually, and to make certain regulations incident thereto, and find the same correctly enrolled

A. A. Smith
Chairman

The Joint Committee on Enrollment presented the following report;-

Mr Speaker;

The Joint Committee on Enrollment presented S.B. No. 66. An act regulating the manner in which members of the General Assembly shall draw their pay, to his Excellency, the Governor, for his approval, at 12, o'clock M. December 23rd A.D. 1876.

George, W. Wilson
Chairman on the part of the House of the Joint Committee on Enrollment.

The Committee on State Institutions presented the following report;

Mr Speaker;

Your Committee on State Institutions to whom was referred H.B. No. 74, A bill for an act to repeal Chapter 87, of the Revised Statutes, and to provide for the government and support of the University of Colorado, have had the same under consideration, and report it back with the recommendation that it be passed,

C. W. Kittredge
Chairman

The Committee on Printing presented the following report

Mr Speaker;

The Committee on Printing report

H.B. No. 87 corrected as follows;

Page 10. Title 3. Chapter 3. Sec 29. line 3 for "therein" read "thereon".

Page 23. Title 5. Chapter 5. for "Execution" read "Exceptions"; also same line for "Accept" read "Except";

Page 55. Chapter 16. Sec 185. line 10 for "Pleading" read "Proceeding"

Page 57 for "Sec 180" read "Sec 190"

Page 58 Chapter 18. Sec. 200 of title for "Judgment" read "Argument,"

Page 67. Chapter 20. Sec. 225 line 6, for "Payment" read "Judgment"

Page 70. Chapter 22 in Title, for "Tabled" read "Trebled" Also Sec. 230. first line for "Offending" read "Offension";

Page 80. Chapter 26. Sec. 269. after the word "the" in the second line, and before the word "Allegations" in the third line insert the word "written"

Page 90. Chapter 32. Sec. 312. line 8. for "Trial" read "Writ". Also List of Senate and House Bills, and report of Joint Committee on Revision of

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Mr Speaker;

The Committee on Printing report

H.B. No. 87 corrected as follows;
Page 10. Title 3. Chapter 3. Sec 29. line 3. for "therein" read "thereon".
Page 43. Title 5. Chapter 5. for "Execution" read "Exceptions". also same line for "Accept" read "Except".
Page 55. Chapter 16. Sec 185. line 10. for "Pleading" read "Proceeding"
Page 57 for "Sec 180" read "Sec 190".
Page 58 Chapter 18. Sec. 200 of title for "Judgment" read "Argument,"
Page 67. Chapter 20. Sec. 225 line 6, for "Payment" read "Judgment".
Page 70. Chapter 22 in Title, for "Tabled" read "Trebled" Also Sec. 230. first line for "Offending" read "Offension".
Page 80. Chapter 26. Sec. 269. after the word "the" in the second line, and before the word "Allegations" in the third line insert the word "written"
Page 90. Chapter 32. Sec. 312. line 8. for "Trial" read "Writ". Also List of Senate & House Bills, and report of Joint Committee on Revision of the Laws.

Also H.B. Nos. 256 & 261 as correctly printed, and H.B. No. 241, with two Sections numbered four. All of which is respectfully submitted

T. Searle ch.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Dec. 22nd 1876

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in the action of the House in adopting Report of Conference Committee on House Bill No. 4. Report and proposed amendments adopted by 2/3 vote House Bill No. 4.
Amended H.B. No. 4 and Reports of Conference Committees herewith transmitted.

Respectfully
Geo. T. Clark
Secy of the Senate.

The Committee on State Institutions presented the following report;
Mr Speaker;

Your Committee on State Institutions to whom was referred H.B. No. 77. A bill for an act to repeal the proviso in Section one of an act approved Feby. 11th 1876. Also Sec. two of same act and to provide for Consolidating the School of Mines with the University of Colorado have had the same under consideration, and report

it back with the recommendation that it be passed

C. W. Kittredge,
Chairman.

Mr Rand moved that Sub. for H.B. No. 8, which had been made a Special Order for today, be made a Special Order for Friday next, January 5. 1877.

Which motion prevailed.

The Joint Committee on Enrollment presented the following report:

Mr Speaker;

The Joint Committee on enrollment have examined H.B. No. 11. An act to provide for the holding of two or more terms of the Supreme Court of the State of Colorado annually and to make certain regulations incident thereto, and find the same correctly enrolled.

Geo. W. Wilson,
Chairman on the part of the House of the Joint Committee on Enrollment.

At ten o'clock and forty five minutes, the Speaker in the presence of the House, signed

H.B. No. 11. an act to provide for the holding of two or more terms of the Supreme Court of the State of Colorado annually, and make certain regulations incident thereto.

H.B. No. 76. a bill for an act to repeal Chapter 87. of the revised Statutes and to provide for the government and support of the University of Colorado,

Also

H.B. No. 77. a bill for an act to repeal the proviso in ~~in~~ Section one of an act approved Feby. 11, A.D. 1876 also Section two of same act and to provide for consolidating the School of Mines with the University of Colorado,

Were read a first time.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 3d 1877

To the Honorable
The House of Representatives
of the State of Colorado

I am instructed to inform your Honorable body that the Senate has adopted S.C.R. No. 8 "In relation to appointment of a Joint Committee to examine accounts of Auditor & Treasurer of State"

The concurrence of the House is requested.
S.C.R. No 8. is herewith transmitted

Respectfully
Geo T. Clark
Secy of the Senate

The Committee on State Institutions presented the following report;

Mr Speaker;

Your Committee on State Institutions to whom was referred H.B. No. 85. A bill for an act providing for the adoption and procuring of a Seal for the State of Colorado and designating the Officer who shall lawfully use the same and be its custodian, and to declare the penalty for illegally using or counterfeiting the said Seal, and to repeal chapter 78. of the revised Statutes have had the same under consideration, and report it back with the recommendation that it be passed.

C.W. Kittredge
Chairman,

H.B. No. 85, a bill for an act providing for the adoption and procuring of a seal for the State of Colorado, and designating the officer who shall lawfully use the same and be its custodian, and to declare the penalty for illegally using or counterfeiting the ~~same~~ said seal, and to repeal chapter 78, of the revised Statutes,

Also

H.B. No. 241, a bill for an act to create and establish the county of Humboldt;

Were read a first time.

Mr Kittredge presented a remonstrance of citizens of Fremont County against the creation of the county of Humboldt,

H.B. No. 256. a bill for an act to amend an act entitled "an act to establish assay offices in Colorado;" approved February 10, 1872.

Was read a first time

S.B. No. 8 a bill for an act regarding the power of granting and dissolving injunctions and the mode of obtaining mandatory writs of injunction and the practice under each in case of disobedience and to repeal Chapter 43 of the revised Statutes, and Section 2 of an act concerning mines, approved Feby. 13. 1874, and the act amendatory thereof entitled an act to amend an act entitled an act concerning mines, approved Feby. 18. 1874 and approved Feby 11. 1876.

Was being read a second time, when

Mr Helm moved that further reading of the bill be postponed for the day

Which motion prevailed.

The following resolution was taken up as unfinished business of the previous day;

Resolved; That hereafter upon the call of the "yeas" and "nays" upon the passage of any bill or concurrent resolution in this House, any member as his name is called, may be allowed to explain his vote and have the substance of his explanation entered upon the Journal; Provided that not more than one minute shall be allowed for making such explanation.

Mr Helm moved that the resolution be amended by providing that the member desiring such explanation entered upon the Journal shall commit it to writing,

Which motion prevailed,

The question then recurring upon the motion to adopt the resolution,

The motion prevailed,

Mr McIntyre moved that the House do now go into Committee of the whole for the consideration of General Orders.

Which motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of General Orders.

With Mr Wilkins in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "H.B. No. 44, a bill for an act to repeal all existing laws in relation to the organization, jurisdiction, powers, proceedings, and practice of the County Courts of the State of Colorado, and to enact other provisions in lieu thereof" and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders, also "H.B. No. 17 a bill for an act to provide for the better security of life and property from the dangers of coal and petroleum oils" and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders

D. F. Wilkins
Chairman

The report of the Committee of the whole was agreed to.

Senate message in relation to S.C.R. No. 8. was taken up

Mr Phelps moved that

the rules be suspended and that

S.C.R. No. 8. In relation to appointment of a Joint Committee to examine accounts of Auditor and Treasurer of State

Be considered now,

Which motion prevailed,

Mr Rand moved that the resolution be adopted.

Which motion prevailed

Mr Wilkins moved that the House do now take a recess to 2. o'clock this afternoon,

Which motion prevailed

And at 12, o'clock M, the House took a recess.

The House was called to order at 2, o'clock by the Speaker,

The Speaker announced the appointment of Messrs Morehouse and Adams as members on the part of the House of the Joint committee created under S.C.R. No. 8. to examine the accounts of the Auditor and Treasurer of State,

Mr Rand moved that the House do now go into Committee of the whole for the consideration of General Orders

Which motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of General Orders,

With Mr Kittredge in the chair

After some time spent therein the committee arose and through its Chairman presented the following report

Mr Speaker: The committee of the whole House have had under consideration "H.B. No. 23, a bill for an act to repeal an act entitled an act to repeal an act entitled an act to amend Chapter 59 of the revised Statutes and enact other provisions in lieu thereof," have made some amendments thereto and instruct me to report the same back to the House and recommend that it be engrossed; also "H.B. No. 28. a bill for an act to establish the county of Routt," have made some amendments thereto and instruct me to report the same back to the House and recommend that be ~~passed~~ engrossed; also H.B. No. 30, a bill for an act to provide in what manner the names of parties may be changed, and such parties be declared the heirs at law of other persons, and to repeal all existing laws relating to the same subject," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that it be engrossed

C. W. Kittredge
Chairman

~~The report of the Committee of the whole~~

The following messages were received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 3d 1877

To the Honorable
The House of Representatives
of the State of Colorado

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 6. entitled "A bill for an act to provide for the payment of certain claims for Printing the Constitution of the State."
The concurrence of the House is requested,
S.B. No. 6, is herewith transmitted

Respectfully
Geo. T. Clark
Secy. of the Senate.

State of Colorado
Senate Chamber
Denver, Jany 3d 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has appointed Mr Butters on the part of the Senate under S.C.R. No. 8. to examine accounts of Auditor and Treasurer

Respectfully Geo. T. Clark.
Secy. of the Senate

Mr A. D. Wilson moved that 300 extra copies of H.B. No. 75, be ordered printed. Which motion prevailed

Mr Helm moved that S.B. No. 6, be now taken up and read,

Which motion prevailed and

S.B. No. 6; a bill for an act to provide for the payment of certain claims for printing the Constitution of the State,

Was read a first time

Mr Phelps moved that the House do now adjourn

Which motion prevailed,

And the House adjourned to 10 a.m. Tomorrow Thursday, January 4th 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty Fourth Day

Forty Fourth Day

Thursday January 4th 1877

House met at *10. a. m.*

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, ~~LANE~~, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER: *43*,

Being a quorum of the House.

Absent Messrs. Chacon, Gotthelf, Green, Griffin, Luther, Ransom &

Messrs Green, Ransom and Chacon were granted leave of absence for to day.

Journal of the previous days session was read and approved.

Mr Gotthelf was granted leave of absence from day to day.

Mr Luther was granted leave of absence for the remainder of this week.

Mr Morehouse was excused from service upon the Joint Committee to examine accounts of the Auditor and Treasurer of State,

And Mr Patten was appointed in his ~~stead~~ place,

The Committee on Manufactures presented the following reports:

MR. SPEAKER:

Your Committee on Manufactures to whom was referred H.B. No. 154, A bill for an act relating to Poisons

have had the same under consideration, and report it back with the recommendation that it be passed.

John C. Mayer, Chairman.

MR. SPEAKER:

Your Committee on Manufactures to whom was referred H.B. No. 121. A bill for an act concerning transportation of Combustible and Explosive substances

have had the same under consideration, and report it back with the recommendation that it be passed.

John C. Mayer, Chairman.

The Committee on Printing presented the following reports:

MR. SPEAKER:

Your Committee on Printing to whom was referred H.B.s No.s 189 and 201

The Committee on Manufactures presented the following report

MR. SPEAKER:

Your Committee on Manufactures to whom was referred H.B. No. 154, A bill for an act relating to Poisons

have had the same under consideration, and report it back with the recommendation that it be passed

John C. Mayer Chairman.

MR. SPEAKER:

Your Committee on Manufactures to whom was referred H.B. No. 121. A bill for an act concerning transportation of Combustible and Explosive substances

have had the same under consideration, and report it back with the recommendation that it be passed.

John C. Mayer, Chairman.

The Committee on Printing presented the following reports,

MR. SPEAKER:

Your Committee on Printing to whom was referred H.B.s Nos. 189 and 201

have ~~had the same under consideration~~ examined their provisions, and report ~~it~~ the Bills back with the recommendation that ~~it~~ they be printed. Also H.B.s No.s 146 - 200 - and 271 be placed on File and wait the Bill on Printing introduced in the Senate

F. Sinks Chairman.

Mr Speaker:

The Committee on Printing report, H.B. No. 201, as correctly printed

F. Sinks

The Committee on Finance, Ways and Means presented the following report:

MR. SPEAKER:

Your Committee on Finance Ways and Means to whom was referred House Bill No. 215, "A bill for an act to provide for the purchase of law books for the library of the supreme court"

have had the same under consideration, and report it back with the recommendation that it be passed as amended

Isaac Canfield Chairman.

The Committee on Corporations presented the following reports;

MR. SPEAKER:

Your Committee on Corporations

to whom was referred H.B. No. 37. a bill for an act to repeal Sec. 7. of an act to provide for the further execution of the trust, relating to the town site of the town of Idaho Springs, and to regulate the same and provide for a substitute therefor have had the same under consideration, and report it back with the recommendation that it be laid on the table

J. C. Helm Chairman.

MR. SPEAKER:

Your Committee on Corporations

to whom was referred H.B. No. 197 a bill for an act to provide for the disposition of lots and parcels of land held in trust by the corporate authorities of any town, or by any Judge under the provisions of any act of Congress or of the General Assembly of Colorado, or both, which are still undisposed of have had the same under consideration, and report it back with the recommendation that it be passed

J. C. Helm Chairman.

The Committee on State Institutions presented the following reports.

MR. SPEAKER:

Your Committee on State Institutions to whom was referred House Bill No. 255 A bill for an act to provide for the government and support of the Penitentiary and the discipline thereof

have had the same under consideration, and report it back with the recommendation that it be passed

C.W. Kittredge Chairman.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 11, An act to provide for the holding of two [illegible] terms of the Supreme court of the State of Colorado annually and to make certain regulations incident thereto

to his Excellency, the Governor, for his approval, at 2 o'clock, P. m., January 3d A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Committee on Indian Affairs presented the following report.

MR. SPEAKER:

Your Committee on Indian Affairs *to whom was referred* Joint Resolution No. 4. ~~Resolution~~ "To establish a Military Post in Grand County, State of Colorado"

have had the same under consideration, and report it back with the recommendation that it be adopted

Geo W Wilson,
John H Stokes,
F Sumles. *Chairman.*
Committee on Indian affairs

The Committee on Engrossment presented the following report.

MR. SPEAKER:

Your Committee on Engrossment have examined House Joint Resolution No. 5, asking an appropriation from Congress to build a Military wagon Road in Grand County

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Committee on the Judiciary presented the following reports:

Mr Speaker:

Your committee on Judiciary to whom were referred the bills hereinafter mentioned would respectfully report that they have had the same under consideration, and they find that;

The following are proposed re-enactments of the existing law, with very slight, if any, amendments,

House	Bill	No. 97.	Concerning	Limitations.	Int^d by	Mr Rand
"	"	" 116	"	Evidence	" "	" Ransom
"	"	" 97	"	Quo Warranto	" "	" Rand
"	"	" 81	"	Replevin	" "	" "
"	"	" 112	"	Assignment of Claims	" "	" Ransom
"	"	" 166	"	Amendments & Jos Fails	" "	" Rand
"	"	" 161	"	Attorneys at Law	" "	" "
"	"	" 162	"	Frauds & Perjuries	" "	" "
"	"	" 122	"	Indigent defendants in criminal cases	" "	" Ransom
"	"	" 134	"	Abatements	" "	" "
"	"	" 110	"	Infants	" "	" "
"	"	" 124	"	Foreclosure of Mortgages	" "	" "
"	"	" 108	"	Frauds	" "	" "
"	"	" 160	"	Notaries Public	" "	" Rand
"	"	" 128	"	Judgments	" "	" Ransom
"	"	" 168	"	Guardians	" "	" Rand

And the following are proposed re-enactments of the existing law and relating to subjects upon which other Bills designed as a revision of all the existing laws ~~as~~ on the subjects, respectively, have

been introduced.

House Bill No. 188	Concerning	Chattel Mortgages, Intd by Mr Raud
" " " 173	"	Change of names " " " Rawson
" " " 148	"	Certiorari " " " "
" " " 138	"	Adoption of Children " " " "
" " " 93	"	Changes of Venue " " " Raud
" " " 169	"	Attachments " " " "

And your committee are of the opinion that it is not advisable for this General Assembly to re-enact laws already in force, unless the same require substantial amendment; that the result which might be ~~obtained~~ attained more easily and economically by a committee on adjustment and revision, or compilation, whose duty it shall be, after the adjournment of this General Assembly, to collect, classify, arrange and index all the laws then in force and cause the same to be published, as the existing laws of the State, and that even if this should not be done, still it would be unadvisable to make such re-enactments, for the reason that such laws, will, under the provisions of the Constitution, remain remain in full force and effect, unless in some way repealed or modified by this Legislature. Your committee therefore believe that there will be no occasion for further consideration of any of the bills above mentioned unless it should hereafter appear that some important legislation is required differing from the present law, upon some one or more of the subjects embraced in the

above bills; in which case, the bill or bills relating to the subject or subjects requiring such Legislation may be taken up and considered;

Your Committee therefore recommend that each and every one of the bills above mentioned be laid upon the table without printing, with a view to their indefinite postponement, unless an occasion for considering some one or more, should arise as above supposed, in ~~which~~ that case, that the bill or bills so requiring consideration be taken from the table upon a vote of a majority of the members elected to the House and the remainder of the bills be indefinitely postponed.

A. C. Phelps,
Chairman Judiciary Committee

MR. SPEAKER:

Your Committee on ~~the~~ Judiciary

to whom was referred House Bill No. 54. "A bill for an act to repeal all existing laws concerning chattel mortgages and enact other ~~provisions~~ in lieu thereof"

~~have~~ had the same under consideration, and report it back with the recommendation that it be submitted for consideration to the Committee of the whole after being read at length as required by the rules of the House

A. C. Phelps Chairman.

The committee on Roads and Bridges presented the following report;

MR. SPEAKER:

Your Committee on Roads and Bridges to whom was referred House Bill No. 131, An act concerning burying the dead

have had the same under consideration, and report it back with the recommendation that it ~~be~~ do pass.

Geo A Patten Chairman.

~~Mr Helm moved that the regular order of business be suspended, and that the House do now take up the Special Order for this day.~~

~~Which motion prevailed.~~

~~And the House took up the Special Order, being~~

~~H.C.R. No. 15, Constituting the Judiciary Committees of the two Houses in Joint Committee~~

~~Mr Smith moved that the resolution be adopted.~~

~~Mr Phelps moved to amend the resolution by inserting after the word "practice" the following words; "and all bills relating to~~

Mr Kittredge presented a protest of citizens of Fremont county against the division of that county,

Which was placed on General Orders to be considered in connection with H.B. No. 241.

H.J.R. No. 7; Memorializing Congress to provide for the maintenance of the orphan children of the late Christopher Carson,

Was read a first time.

Mr McIntyre moved that H.J.R.s No. 7. 8, 9 and 10. be ordered printed,

Which motion prevailed,

S.B. No. 6. A bill for an act to provide for the payment of certain claims for printing the Constitution of the State,

Was read a second time,

Mr Phelps moved that S.B. No. 6 be referred to the Committee on Claims.

Which motion prevailed

Mr Helm moved that the regular order of business be suspended, and that the House do now take up the ~~[illegible]~~ Special Order for this day,

Which motion prevailed.

And the House took up the Special Order, being

H.C.R. No. 15, constituting the Judiciary committees of the two Houses in Joint Committee,

Mr Smith moved that the resolution be adopted,

Mr Phelps moved to amend the resolution by inserting after the word "practice", the following words "and all bills relating to

the organization, jurisdiction, powers and proceedings of Courts of this State"

Which motion to amend prevailed,

Mr Hilm moved to amend by striking out the words, "the Judiciary Committee of the two Houses be and they are hereby constituted a Joint Committee," and inserting in lieu thereof the words, there be appointed a Special Committee consisting of seven members from each House

Which motion to amend prevailed.

The question then recurring upon the motion to adopt the resolution,

The motion prevailed.

S.B. No. 8, was again taken up for the purpose of completing its second reading, and

Mr Phelps moved that the further reading of the bill be dispensed with for the present,

Which motion prevailed

H.B. No. 76. a bill for an act to repeal chapter 87 of the revised statutes and to provide for the government and support of the University of Colorado,

Was read a second time,

And placed on General Orders

to be considered in Committee of the whole

H.B. No. 77. a bill for an act to repeal the proviso in Sec. 1 of an act approved Feby. 11. A.D. 1876, also Sec. 2 of same act, and to provide for consolidating the School of Mines with the University of Colorado,

Was read a second time,

Mr Simmons moved that H.B. No. 77. be referred to the Committee on Mines and Mining,

Which motion prevailed.

Mr Phelps moved that the committee be requested to inquire into the Constitutional provisions relating to State Institutions, and the power of the General Assembly to remove the School of Mines,

Which motion prevailed,

Mr Marshman was excused from attendance upon this afternoons session of the House.

Mr Laragoite moved that the House do now take a recess 2. o'clock this afternoon,

Which motion prevailed

And at eleven o'clock and fifty-five minutes the House took a recess

1 At 2 o'clock in the afternoon the Speaker called the House to order

The Speaker announced as the committee on the part of the House of the Joint Committee created by H.C.R. No. 15. as follows:

Messrs Phelps, Helm, Larragoite, Simmons, A.S. Wilson, Irwin, McIntyre.

Messrs Carlile and Wilkins were excused from attendance upon this afternoons session of the House.

The report of the committee of the whole relation to H.B. No. 23. H.B. No. 28, and H.B. No. 30. was taken up.

Mr Simmons moved that the report of the Committee of the whole be adopted.

Which motion prevailed, and

The amendments proposed by the Committee of the whole were ordered printed.

The report of the Committee on Printing, recommending that H.B. No. 146. H.B. No. 200 and H.B. No. 271, be laid on the table to await the action of the Senate on a bill now before that body, of a similar nature, was taken up.

Mr Surles moved that

the recommendations of the report of the Committee be adopted,

Which motion prevailed,

The report of the Committee on Finance, Ways and Means relation to H.B. No. 215, making certain amendments thereto, was taken up.

Mr Smith moved that the report of the committee be adopted,

Which motion prevailed,

And the amendments proposed by the Committee on Finance, Ways and Means, were ordered printed,

The report of the Committee on Corporations relation to H.B. No. 32, recommending that it be taken up.

Mr Lake moved that the recommendations of the Committee be adopted.

Which motion prevailed.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Jany. 4th 1876

To the Honorable
The House of Representatives
of the State of Colorado

I am instructed to inform your Honorable body that the

Senate has passed S. B. No. 14. entitled "A bill for an Act to authorize Clerks of the District Court to appoint Deputies" The concurrence of the House is requested, S. B. No. 14. is herewith transmitted

Respectfully
Geo. T. Clark
Secy of the Senate

H. J. Cr. No. 15, asking an appropriation from Congress to build a military wagon road in Grand County, Was read a third time

The ~~question~~ being upon the passage of the ~~bill~~, Resolution
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 33.

And none in the negative,
Gentlemen absent and not voting were:

Canfield, Chacon, Chaves, Carlile, Gotthelf, Green, Griffin, Luther, Morehouse, Moss, Phelps, Pierce, Rand, Ransom Vijil, Wilkins — 16

A constitutional majority having voting in favor of the resolution, The resolution passed.

Mr Kruse moved that

H.B. No. 201, be now read.

which motion prevailed, and

H.B. No. 201, a bill for an act to provide for the printing of the General Assembly and the Session and all other laws,

Was read a first time.

Mr Kittredge moved that H.B. No. 255. be now read.

Which motion prevailed, and

H.B. No. 255, a bill for an act to provide for the government and support of the Penitentiary and the discipline thereof,

Was read a first time,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver, Jany. 4th 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has indefinitely postponed H.B. No. 191, entitled "A bill for an act to provide for holding a term of Court in Clear Creek County for the transaction of Criminal Business"

H. B. No. 191. is herewith transmitted

Respectfully

Geo. F. Clark.

Secy of the Senate.

The Committee Fees and Salaries presented the following report,

MR. SPEAKER:

Your Committee on Fees and Salaries to whom was referred House Bill No. 470, A bill for an Act making an appropriation for the relief of the Members, Officers and Employees of the General Assembly for the years A.D. 1876 and 1877 have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

T. F. Simmons Chairman.

The Committee on Corporations presented the following report

MR. SPEAKER:

Your Committee on Corporations to whom was referred House Bill No. 212, "A Bill for an act in relation to municipal corporations"

have had the same under consideration, and report it back with the recommendation that it be read and ordered printed

J. C. Helm Chairman

The Committee on Counties and County Lines presented the following report:

MR. SPEAKER:

Your Committee on Counties and County Lines to whom was referred H.B. No. 69, "A bill for an Act to legalize ~~regulate~~ the roads and highways within the State of Colorado,"

have had the same under consideration, and report it back with the recommendation that it be passed

C.H. McIntyre Chairman.

The Committee on Engrossment presented the following report;

MR SPEAKER:

Your Committee on Engrossment have examined H.C.R. No. 15, Resolution to a Joint Committee of the two Houses for the consideration of all Bills introduced into either House relating to practice

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr Kruse moved that H.B. No. 212, be now read,

Which motion prevailed

Mr Rand moved that ~~of~~ when the first reading of H.B. No. 217. is completed, That H.B. No. 69, be read

Which motion prevailed,

H.B. No. 217 an act in relation to Municipal Corporations

Also,

H.B. No. 69. a bill for an act to legalize the roads and highways within the State of Colorado

Were read a first time

Mr Simmons moved that H.B. No. 215, be now read,

Which motion prevailed, and

~~And~~ H.B. No. 215, a bill for an act to provide for the purchase of law books for the library of the Supreme Court.

Was read a first time,

The following message was received from His Excellency, the Governor

State of Colorado
Executive Dept,
Denver Jany. 4. 1877

Hon W. L. Anthony

Speaker of the House of Representatives

Sir:

I have the ~~honor~~ honor to inform you that I have this day signed H. B. No. 11. Entitled "An Act to provide for the holding of two or more terms of the Supreme Court of the State of Colorado annually, and to make certain regulations incident thereto" and have filed the same with the Secretary of State

Very respectfully

Jno. L. Routt.

Governor

Mr. Archuleta moved that the House do now adjourn

Which motion was lost.

H. B. No. 54. a bill for an act to repeal all existing laws concerning Chattel mortgages and to Enact other provisions in lieu thereof

Was read a first time

Messrs. Adams, A. D. Wilson and Phelps were excused from attendance upon the remainder of this afternoon session of the House

Mr Patten moved that H. B. No. 197, be now read a second time

Which motion prevailed and
H. B. No. 192, a bill for an
act to provide for the disposition of
lots and parcels of land held in
trust by the corporate authorities of
any town or by any judge under
the provisions of any act of Congress
or of the General Assembly of Colorado,
or both, which are still undisposed of
was read a second time
And placed on General Orders
to be considered in Committee of the
whole House.

Mr Rand moved that
the House do now adjourn,

Which motion prevailed,

And the House adjourned
to 10. a.m. Tomorrow Friday January
5th 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty-fifth Day

Forty fifth Day

Friday January 5th 1877

House met at 10 A.M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—41

Being a quorum of the House.

Absent Messrs Gotthelf, Green, Griffin, Luther, Morehouse, Moss, Stokes, Young — 8

Journal of the previous days session was read and approved.

Messrs Young, Morehouse, Green, and Stokes, were granted leave of absence for the day

The Committee on Agriculture presented the following report:

MR. SPEAKER:

Your Committee on Agriculture

to whom was referred House Bill No. 150. A bill for an act relating to floating timber

have had the same under consideration, and report it back with the recommendation that it be passed

S. F. Rainey Chairman.

The Committee on Manufactures presented the following report:

Mr Speaker:

Your Committee on Manufactures to whom was referred H. B. No. 31, "A bill for an act in relation to marks and brands of flour and other goods" have had the same under consideration, and report it back with the recommendation that it be passed, amended as follows; After the title of the bill, insert:
"Be it enacted by the General Assembly of the State of Colorado;"
Sec 1, line 1, insert after the word "Manufacturer" "or dealer in"
Sec. 2 line 1. Strike out the words "save the manufacturer thereof". Sec line 3, after the word "manufacturer" insert the words "or dealer". Sec line 6. Strike out the word "by" and insert "but" and after the word manufacturer, insert "or dealer"

John C. Mayer. Chairman

The Committee on Printing presented the following report:

Mr. Speaker:

The Committee on Printing report: H.B.s Nos 85, and 189, correctly printed.

[illegible],

Chairman.

The Committee on Claims presented the following reports:

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 265. "A bill for the relief of the widow of Charles Domingues."

have had the same under consideration, and report it back with the recommendation that it be passed

T. J. Watts, *Chairman.*

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 264. A bill for an act to provide for the payment of all expenses of the Constitutional Convention, now due

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

T. J. Watts, *Chairman.*

Mr. Speaker:

Your Committee on Claims

to whom was referred H.B. No. 249. A bill for an act to provide for the payment of the members and employees of the Constitutional Convention

have had the same under consideration, and report it back with the recommendation that it ~~be~~ do not pass

T. J. Watts Chairman.

Mr. Speaker:

Your Committee on Claims

to whom was referred H.B. No. 60. A bill for an act to defray the expenses of the late Constitutional Convention

have had the same under consideration, and report it back with the recommendation that it be indifinitely postponed

T. J. Watts Chairman.

MR. SPEAKER:

Your Committee on Claims

to whom was referred H. B. No. 219, "A bill for an act for the relief of Silas O. Bennett

have had the same under consideration, and report it back with the recommendation that it be passed

T. J. Watts *Chairman.*

The Committee on Finance, Ways and Means presented the following report:

MR. SPEAKER:

Your Committee on Finance, Ways & Means

to whom was referred H. B. No. 221, "A Bill for An Act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive, Legislative and Judicial department"

have had the same under consideration, and report it back with the recommendation that it be passed

Isaac Canfield *Chairman.*

The Committee on Mines and Mining presented the following report,

Mr Speaker;

Your Committee on Mines and Mining to whom was referred H.B. No 107, "A bill for an act establishing a commissioner of mines and repealing all laws relation to Territorial assay Offices", Also H.B. No. 210 "A bill for an act to provide for the expense of the office of Commissioner of Mines for the years 1877 and 1878".
Would respectfully report that they have had the same under consideration and report said bills back to the House, and recommend that they do pass

H. W. Lake,
Chairman

MR. SPEAKER:

Your Committee on Mines and Mining *to whom was referred* H.B. No. 103, "A Bill for an act fixing the length of a days work under ground"

have had the same under consideration, and report it back ~~*with the recommendation that it be*~~ without recommendations

H. W. Lake *Chairman.*

Mr Phelps moved that the regular order of business is suspended for the present, in order that the report of the Judiciary Committee, relation to certain bills that are proposed re-enactments, may be taken up.

Which motion prevailed,

And the report was taken up.

Mr Simmons moved that the report be adopted.

Which motion prevailed,

H.B. No. 189. a bill for an act for the distruction of Wolves, Cayotes and Foxes

Was read a first time,

The Committee on Fees and Salaries presented the following report:

MR. SPEAKER:

Your Committee on Fees & Salaries *to whom was referred* H.B. No. 232. "An Act concerning Costs in criminal cases Approved Feby 11th 1874"

have had the same under consideration, and report it back with the recommendation that it be passed

T. F. Simmons *Chairman.*

MR. SPEAKER:

Your Committee on Fees and Salaries to whom was referred H.B. No. 20. An act to repeal an act concerning costs in criminal cases approved Feby. 7. 1876

have had the same under consideration, and report it back with the recommendation that it be passed.

T. F. Simmons Chairman.

MR. SPEAKER:

Your Committee on Fees & Salaries to whom was referred H.B. No. 113. "An act concerning costs", H.B. No. 114. "An act relating to Fire Companies". H.B. No. 156 "An Act concerning witness Fees" & H.B. No. 171. "An act in relation to costs" have had the same under consideration, and report ~~it~~ them back with the recommendation that ~~it~~ they be laid on the table as they are re-enactments of existing laws with no important amendments

T. F. Simmons Chairman.

Mr Smith moved that the report of the committee on Fees and Salaries relation to H.B. No 113, H.B. No. 114 H.B. No. 156. and H.B. No. 171 be adopted,

which motion prevailed,

S.B. No. 14 A bill for an act to authorize Clerks of the District Court to appoint deputies

was read a first time,

H.B. No. 54 a bill for an act to repeal all existing laws concerning Chattel mortgages and enact other provisions in lieu thereof,

Also

H.B. No 85, A bill for an act ~~to~~ providing for the adoption and procuring of a Seal for the State of Colorado, and designating the officers who shall lawfully use the same and be its custodian, and to declare the penalty for illegally using or counterfeiting the said seal, and to repeal chapter 78. of the revised Statutes,

Also

H.B. No. 201 a bill for an act to pay for the printing of the General Assembly and the session and all other laws,

Was read a second time;

And placed on General Orders for consideration in Committee of the whole House.

H.B. No. 46. A bill for an act to provide for inflicting the death penalty for the crime of murder, when the party indicted shall plead guilty,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, ~~CHAVES~~, CARLILE, ~~ESQUIBEL~~, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—32.

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD~~, ~~ARCHULETA~~, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, ~~IRWIN~~, ~~KITTREDGE~~, ~~KRUSE~~, ~~LAKE~~, ~~LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER.~~ 11.

Gentlemen absent and not voting were:

Gotthelf, Green, Griffin, Luther, Morehouse, Moss. — 6

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the bill not having received a two-thirds majority the House did not order that the emergency clause take effect

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver, Jany. 5th 1877

To the Honorable
The House of Representatives
of the State of Colorado

I am instructed to inform your Honorable body that the Senate has concurred in the action of the House in adopting H.C.R. No. 15, and has appointed Messrs Haynes,

Rockwell, Maxwell Arnson, Butler, De France and Merrill as members of Joint Committee on the part of the Senate,

H.J.R. No. 13. is herewith transmitted,

Respectfully,

Geo. T. Clark,

Sec. of the Senate,

The members of the Joint committee on Practice were excused from attendance upon this afternoon session of the House,

Mr Young moved that the House do now take a recess until 2. o'clock this afternoon,

Which motion prevailed,

And at 12. O'clock M; the House took a recess.

At 2 o'clock the Speaker called the House to order,

The Committee report of the Committee on Fees and Salaries relative to H.B. No. 275, recommending that the bill be indefinitely postponed, was called up,

Mr Smith moved that the report of the Committee be adopted,

Upon this motion Mr Phelps demanded the "yeas" and "nays" which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER—38.

Gentlemen voting in the negative were;

Alberts, Watts,—2

Gentlemen absent and not voting were;

Carlile, Gotthelf, Green, Griffin, Luther, Marshman, McDermitt, McIntyre, & Moss—9

And so the motion to adopt the report of the Committee prevailed.

And the bill was indefinitely postponed.

Mr Irwin was excused from attendance upon this afternoons session of the House.

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 4 An Act to repeal Section sixty-eight of Chapter fifty, and Sections Six and Seven of Chapter forty Eight of the revised Statutes of Colorado relating to the issuing of Executions against the body of a defendant in civil actions and to enact other provisions in lieu thereof,

and ... *same correctly enrolled.* A. A. Smith, Ch.

The Special Order for Thursday being [illegible], [illegible] was taken up.

Mr Helm moved that the House do now go into Committee of the whole for the consideration of Sub. for H.B. No. 8.

Which motion was lost.

The report of the Committee on Fees and Salaries relation to H.B. No. 8. and Sub. for the same, was called up and read.

Mr Helm moved that the report of the Committee be adopted.

Mr Phelps moved that the report of the Committee be amended by striking out that portion recommending the passage of the Substitute.

Upon this motion Mr Rand demanded the "yeas" and "nays", which were had with the following result:

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT~~, ~~McINTIRE~~, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. – 24

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, ~~PATTEN~~, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS~~, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG~~, MR. SPEAKER. – 17

Gentlemen absent and not

voting were:

[illegible] Muse,

Luther, Marshman, McIntyre, Moss — 8

And so the motion to amend the report prevailed.

Mr Helm moved as a substitute for the motion pending that the House do now go into Committee of the whole for the consideration of Sub. for H.B. No. 8.

Which motion was lost.

The question recurring upon the motion to adopt the report of the Committee,

Mr Phelps demanded the "yeas" and "nays" which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS~~, ~~ALBERTS~~, ~~ALFORD~~, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE~~, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 20

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, ~~PATTEN~~, ~~PHELPS~~, ~~PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 22.

Gentlemen absent and not voting were:

Gotthelf, Green, Griffin, Luther

Marshman, 21st Julyu Maer. — 7

But the motion to adopt the report of the Committee did not prevail,

Mr Phelps moved that the House do now go into Committee of the whole for the consideration of H.B. No, 8.

Which motion was lost,

Mr Phelps moved that the further consideration of Sub, for H.B. No. 8. be indefinitely postponed,

Mr Helm moved as an amendment that further consideration of H.B. No. 8. be indefinitely postponed;

Mr Watts moved as a substitute for all motions pending that H.B. No. 8. be recommitted to the Committee on Fees and Salaries;

Mr A. D. Wilson raised the point of order that H.B. No. 8. was not in the possession of the House,

The Chair decided that H.B No, 8, was in the possession of the House,

Mr Helm appealed from the decision of the Chair,

And the Chair was sustained,

The reading of H.B. No. 8, was called for,

Mr Moorhouse moved that the bill be not read,

The chair decided that the motion was not in order, as any member had a right to demand the reading of any paper before the House,

Mr Rand appealed from the decision of the chair,

And the chair was not sustained,

Mr Rand moved that the House do now go into Committee of the whole for the consideration of H.B. No. 8.

Which motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of H.B. No. 8,

With Mr Rand in the Chair,

After some time spent therein, the Committee arose and through its Chairman presented the following report,

Mr Speaker:

The Committee of the whole House have had under consideration H.B. No. 8 "A bill for an act to provide for the payment of Salaries to officers of the Executive and Judicial departments of the State of Colorado,"

and instruct me to report the same back to the House report progress and ask leave to sit again

Geo. Rand.

Chairman

Mr Phelps moved that further consideration of H.B. No. 8, be postponed until eleven A.M. Tomorrow,

Mr Young moved as an amendment that it be postponed to Monday next, January 8th 1877.

Mr Phelps moved as an amendment to the amendment that it be postponed to Nine A.M. tomorrow

Which motion to amend the amendment did not prevail,

The question recurring upon the motion to amend,

The motion was lost,

Mr Phelps moved as an amendment that further consideration of the bill be postponed to 10. A.M. tomorrow

Which motion to amend prevailed,

The question then recurring upon the motion as amended,

The motion prevailed,

Mr Phelps moved that the House do now adjourn to 9.45 A.M.

tomorrow,

Which motion prevailed

And the House adjourned to 9.45 A.M. tomorrow, Saturday January 6th 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty Sixth Day

Forty Sixth day

Saturday January 6th 1877

House met at 9.45 A.M.

Speaker in the chair.

~~Prayer by the chaplain.~~

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 44.

Being a quorum of the House.

Absent Messrs. Gotthelf, Green, Griffin Luther, Moss, — 5

Journal of the previous days session was read and approved.

The hour having arrived for the consideration of the Special Order for this day being H.B. No. 8,

Mr Helm moved that further consideration of the Special Order be postponed until 10.15 A.M. Monday next, January 8. 1877

Which motion prevailed,

Mr Rand presented remonstrance of citizens of Huerfano County against the creation of the County of Humboldt,

Also

The remonstrance of the County

commissioners of Huerfano county against the creation of the county of Humboldt,

Which were placed on file to be considered in connection with H.B. No. 241.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on enrollment have examined H.B. No. 4. "An Act to repeal Sections sixty seven and sixty eight of Chapter fifty of the revised Statutes of Colorado, relating to the attachment of the body and issuing executions against the body of a defendant in civil actions and to enact other provisions in lieu thereof and to release all persons now under arrest or confined in Jails in virtue of such processes issued in civil actions" *and find the same correctly enrolled.*

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Printing presented the following report:

Mr Speaker:

The Committee on Printing report Joint Resolution No. 4. H.B. No. 69. and H.B. 215. correctly printed

J. Sukes.

The Committee on Mines and Mining presented the following reports:

MR. SPEAKER:

Your Committee on Mines & Mining

to whom was referred H.B. No. 35. "A bill for an Act to repeal an act entitled an act concerning costs in certain cases, approved Feby. 11th 1876.

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

H. W. Lake, Chairman.

MR. SPEAKER:

Your Committee on Mines & Mining

to whom was referred H.B. No. 147, No. 256, No. 86. Relating to assays, Establishing Assay Offices, And repealing all laws regarding Assay Offices

have had the same under consideration, and report ~~it~~ said bills back with the recommendation that ~~it~~ they be laid on the table subject to future action of the House

H. W. Lake, Chairman.

The Committee on Elections and Apportionments presented the following reports;

MR. SPEAKER:

Your Committee on Elections & Apportionments to whom was referred H.B. No. 259 for an act to authorize a vote to amend the Constitution of Colorado

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

H. J. Kunz Chairman.

MR. SPEAKER:

Your Committee on Elections & Apportionments to whom was referred H.B. No. 251, for an act to submit to the qualified electors of the State of Colorado an amendment to Sec. 2a. of Article 6 of the Constitution of the State of Colorado, concerning the Judicial Department have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed.

H. J. Kunz. Chairman.

The committee on Claims presented the following reports:

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 26 r. A bill for an act to provide for certain expenses incurred in the inauguration of His Excellency the Governor

have had the same under consideration, and report it back with the recommendation that it be Indefinitely postponed

T. J. Watts Chairman.

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 108. A bill for an act to make an appropriation to pay the unpaid expenses of the Constitutional Convention

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

T. J. Watts Chairman.

Mr Speaker

Your Committee on Claims to whom was referred S.B. No. 6 A bill to provide for the payment of certain unpaid claims for printing the state constitution, have had the same under consideration, and report it back and recommend that it be amended by adding the following section:

Inasmuch as the claims herein provided for, have been due and ~~not~~ unpaid for several months past, Therefore it is the opinion of this General Assembly that an emergency exists, and this act shall take effect immediately after its passage." Thus amended, your committee recommend that the bill be passed.

T. J. Watts
Chairman.

H.B. No. 217. a bill for an act to provide for the expense of the office of Commissioner of Mines for the years 1877 and 1878.

Also

H.B. No. 219. a bill for an act for the relief of Silas C Bennett of Clear Creek County.

Also H.B. No. 221 a bill for an act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive, Legislative and Judicial departments

Also

H.B. No. 237 an act to amend an act concerning costs in criminal cases approved Feby. 11, 1876.

Also

H.B. No. 265. a bill for an act for the relief of the widow of C Dominguez.

Were read a first time,

S.B. No. 14. A bill for an act to authorize Clerks of the District Courts to appoint deputies

Also

H.B. No. 102, a bill for an act to establish the office of commissioner of mines, and to repeal an act entitled "an act to establish a Territorial assay office, Approved ~~Feb~~ January 10. 1868," also "An act to establish assay offices in Colorado Territory, Approved February 8. 1872;" Also "An act to establish Assay Offices in Colorado Territory, approved Feby 10. 1874;" Also "An act to amend an act entitled an act to establish assay offices in Colorado Territory, Approved February 11th 1876."

Also.

H.B. No. 103, a bill for an act fixing the length of a days work under ground

Also

H.B. No. 189, a bill for an act for the destruction of wolves, cayotes and foxes.

Were read a second time and placed on General Orders for consideration in Committee of the whole House.

At ten o'clock and thirty-five minutes, the Speaker in the presence of the House, signed—

H.B. No. 4. a bill for an act to repeal sections 67 and 68 of Chapter 50. of the revised statutes of Colorado relating to the attachment of the body and issuing executions against the body of a defendant in civil actions, and to enact other provisions in lieu thereof, and to release all persons now under arrest or confined in Jail in virtue of such process issued in civil actions.

Mr Phelps moved that the regular order of business be suspended for the present.

Which motion prevailed.

Mr Phelps moved that the House do now go into Committee of the whole for the consideration of General Orders.

Which motion prevailed.

And the House resolved itself into Committee of the whole for the consideration of General Orders,

With Mr Moorhouse in the chair.

After some time spent therein the committee arose and through

its Chairman presented the following report.

Mr Speaker;

Your Committee of the whole House have had under consideration "H.B. No. 35, a bill for an act concerning Notaries Public" and instruct me to report the same back to the House with the recommendation that it be referred to the Committee on State Institutions; also "H.B. No. 39, a bill for an act to provide for the filling up or covering up, of pits, shafts and wells that endanger life," and ~~instruct~~ instruct me to report the same back to the House with the recommendation that it be laid on the table; Also "H.J.R. No. 1, requesting an appropriation by Congress for the construction of a Military post in southwestern Colorado," have made some amendments thereto and instruct me to report the same back to the House with the recommendation that it be ordered engrossed for a third reading; Also H.J.R. No. 2. relative to the construction of a military wagon road from Fort Garland to the military post in La Plata county Colorado", have made some amendments thereto and instruct me to report the same back to the House with the recommendation that it be ordered engrossed for a third reading; also "H.J.R.

No. 3 relation to the establishment of an Indian Agency for the southern Utes in La Plata County" have made some amendments thereto and instruct me to report the same back to the House with the recommendation that it be ordered engrossed for a third reading; Also "H.B. No. 34. a bill for an act for the protection of game," and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders. Also "H.B. No. 195 a bill for an act to provide for the disposition of lots and parcels of land held in trust by the corporate authorities of any town or by any judge under the provisions of any act of Congress or of the General Assembly of Colorado, or both, which are still undisposed of" have made some amendments thereto and instruct me to report the same back to the House, with the recommendation that it be ordered engrossed for a third reading; Also "H.B. No. 76 a bill for an act to repeal Chapter 87. of the revised statutes, and to provide for the government and support of the University of

Colorado" have made some progress and instruct me to report the same back to the House and ask leave to sit again

P. E. Moorhouse.

Chairman

Mr Smith moved that the report of the Committee of the whole be agreed to,

Which motion prevailed

And the amendments proposed by the Committee of the whole were ordered printed.

Mr Watts moved that the House do now adjourn

Which motion prevailed

And the House adjourned to 10, a.m. Monday next January 8th 1877

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Forty-Seventh Day

Forty Seventh Day.

Monday January 8th 1877

House met at 10 A. M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.-42

Being a quorum of the House.

Absent Messrs Gotthelf, Green, Griffin, Irwin, Luther, McBroom, Moss - 7

Journal of the previous days session was read and approved.

The Speaker presented a communication and memorial from the National Board of Trade, relation to the establishment of Art and Science Schools,

Mr Adams moved that the communication and memorial be referred to the Committee on Education,

Which motion prevailed,

The hour having arrived for the consideration of the Special Order, being H. B. No. 8.

Mr McIntyre moved that the House do now go into Committee of

the ... for ... consideration of the Special Order,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Rand in the chair;

After some time spent therein the Committee arose and through its chairman presented the following report:

Mr Speaker,

The Committee of the whole House have had under consideration "H.R. No. 8, A bill for an Act to provide for the payment of Salaries to Officers of the Executive and Judicial Departments of the State of Colorado," and instruct me to report the same back to the House, report progress, and ask leave to sit again.

Geo. Rand.

Chairman

The following messages were received from the Senate;

State of Colorado
Senate Chamber
Denver, Jany 6th 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable Body that the Senate has passed S.B. No. 24. "A bill for an act relating to Bonds and interest thereon heretofore issued by Counties Cities and towns." The Concurrence of your Honorable body is requested,
S.B. No. 24. is herewith transmitted,

Respectfully
Geo. T. Clark
Secy of the Senate

State of Colorado
Senate Chamber
Denver January 8th 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable Body that the Senate has passed S.C.R. No. 9. In relation to meeting of Committee of Fourteen on H.B. No. 87. The concurrence of your Honorable body is respectfully requested. The same is herewith transmitted.

Respectfully
Geo. T. Clark
Secy of the Senate

By unanimous consent S.C.R. No. 9. in relation to meeting of Joint Committee of 14 on H.B. No. 87.

Was taken up for consideration

Mr Helm moved that the House concur in the adoption of the resolution,

Which motion prevailed

Mr Adams moved that the House do now take a recess to two o'clock this afternoon,

Which motion prevailed.

And at twelve o'clock and fifteen ~~min~~ minutes the House took a recess,

---

The House was called to order at two o'clock in the afternoon by the Speaker.

Mr Ransom moved that the House do now go into committee of the whole for the further consideration of H.B. No. 8.

Which motion prevailed,

And the House resolved itself into committee of the whole.

With Mr Rand in the chair,

After some time spent therein the committee arose and through its chairman presented the following report!

Mr Speaker;

The Committee of the whole House ~~have~~ had under consideration "H.B. No. 8. a bill for an act to provide for the payment of salaries to Officers of the Executive and Judicial Departments of the State of Colorado," have made some amendments thereto and instruct me to report the same back to the House and recommend its passage as amended.

Geo Rand
Chairman

The following message was received from the Senate.

State of Colorado
Senate Chamber
Denver Jany. 8th 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 44. "A bill for an act to prescribe certain powers and duties of the officers of the Executive Department and certain rules in relation to the Fiscal Affairs of the State in connection therewith" The concurrence of the House is requested. S.B. No. 44 is herewith transmitted

Respectfully
Geo. T. Clark
Secy of the Senate

Mr. Stokes moved that the House do now adjourn

Which motion prevailed,

And the House adjourned to 10. A.M. tomorrow Tuesday, January 9th 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty Eighth Day

Forty-Eighth Day

January 9th 1877

House met at 10 A. M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.,~~ YOUNG, MR. SPEAKER.-44.

Being a quorum of the House.

Absent Messrs Gotthelf, Green, Griffin, Moss, Geo. W. Wilson, -5.

Journal of the previous days session was read and approved.

The committee on Education presented the following report:

Mr Speaker!

Your Committee on Education to whom were referred H.B.s Nos 101, 187, 195, 233 and 64, beg leave to return the same and make the following report: viz- H.B. No 101 "A Bill for an act prescribing an Educational qualification" with the recommendation that it do pass.-

H.B. No. 187 "An act to provide for the appointment of a Board of School Directors for the city of Black Hawk and repealing parts of the Charter of said city" - with the recommendation that it lay on

the table in the opinion of the Committee it is unconstitutional.

H.B. No. 233. "A Bill for an act to provide for the appointment of a commission to report a plan of organization of a State Reform School" - with the recommendation that it pass. -

H.B. No. 195 "A bill to provide against the evils resulting from the sale of intoxicating liquors in the State of Colorado", without recommendation,

H.B. No. 64. "A bill for an act concerning escheated Estates the manner of receiving and controlling the same," - with the recommendation that it be referred to the Judiciary Committee.

Respectfully Submitted
P. E. Moorhouse.
Chairman.

The Committee on Printing presented the following report:

Mr Speaker

The Committee on Printing report H.J.R. Nos 7 - [illegible] - 8 - 10 Also H.B. No. 95, as correctly printed

[illegible]
Chairman.

The Committee on Appropriations and Expenditures presented the following report:

Mr. Speaker

Your Committee on Appropriations and Expenditures to whom was referred H.B. No. 140. "A bill for an act to provide a fund for building and maintenance of the Agricultural College of Colorado" have had the same under consideration and report ~~the same~~ it back to the House with the recommendation that it do pass

A. Leonard.
Chairman.

The Committee on Federal Relations presented the following report:

MR. SPEAKER:

Your Committee on Federal Relations to whom was referred H.B. No. 172 a bill for an act to authorize foreign administrators and executors to act in this State

have had the same under consideration, and report it back with the recommendation that it be passed

A.C. Marshman Chairman.

Simmons presented the following ~~report~~ resolution and moved its adoption;

Resolved that hereafter, (unless specially ordered by the House) the sessions of this House shall be from 9 o'clock A.M. to 12. M. and from 2 o'clock to 5 o'clock and 7½ oclock to 10. oclock P.M, and no motion to adjourn shall be in order until the hour fixed for adjournment shall have arrived.

Mr Marshman moved that the ~~re~~ resolution be laid on the table,

Upon this motion Mr Simmons demanded the "yeas" and "nays" which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES~~, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. -25.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. 18

Gentlemen absent and not voting were:

Alberts, Gotthelf, Green Griffin, Moss, Geo. W. Wilson.

And so the motion to lay the resolution on the table prevailed,

H. J. R. No. — Memorializing Congress to establish a Military Post in Grand county, State of Colorado,

Also.

H. B. No. 69. A bill for an act to legalize the roads and highways within the State of Colorado,

Also

H. B. No. 215, a bill for an act to provide for the ~~purpose~~ purchase of law books for the library of the Supreme Court,

Were read a second time and placed on General Orders for consideration in committee of the whole House.

Reports of Committees were taken up and disposed of as follows.

Report of the Committee on Manufactures, relation to H. B. No. 31. ~~[illegible]~~ recommending that it be passed as amended,

Mr Mayer moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on Claims relation to H. B. No. 60. H. B. No. 185, H. B. No. 249, and H. B. No 265 recommending that they be indefinitely postponed,

Mr Morehouse moved that the bills and accompanying reports be laid on

th

Which motion prevailed,

Report of the Committee on Claims relation to H.B. No. 267 recommending that it do not pass.

Mr Simmons moved that the bill be recommitted to the Committee on Claims,

Which motion prevailed,

Report of the Committee on Elections and Apportionments relation to H.B. No. 251, recommending that it be indefinitely postponed.

Mr Ransom moved that the bill be recommitted to the Committee on Elections and Apportionments,

Which motion prevailed,

Report of the Committee on Claims relation to H.B. No. 262 recommending that it be indefinitely postponed,

Mr Adams moved that the report of the Committee be agreed to,

Mr Helm moved that the bill and accompanying report be laid on the table

Which motion prevailed

Report of the Committee on Claims relation to S.B. No. 6, recommending amendments thereto.

Mr Simmons moved that the report be adopted,

Which motion prevailed,

Report of the Committee on Mines and Mining relative to H.B, No 86, recommending that it be laid on the table for ~~further~~ future action,

Mr Searles moved that the report of the Committee be adopted,

Which motion prevailed,

Report of the Committee on Mines and Mining relative to H.B. No. 25, recommending that it be indefinitely postponed.

Mr Patten moved that the report be adopted,

Mr Searles moved that the bill and accompanying report be laid on the table,

Which motion prevailed,

Report of the Committee on Elections and Apportionments relative to H.B. No. 263, recommending that the bill be indefinitely postponed,

Mr Searles moved that the bill and accompanying report be laid on the table,

Which motion prevailed

Report of the Committee on Mines.

and Mining relation to H.B. No. 256, recommending that the bill be laid on the table for ~~further~~ future consideration,

Mr Rand moved that the report be agreed to,

Which motion prevailed,

Report of the Committee on Claims, relation to H.B. No. 105, recommending that the bill be indefinitely postponed,

Mr Kruse moved that the report be agreed to,

Which motion prevailed,

Report of the Committee on Education, relation to H.B. No. 187, recommending that the bill be laid on the table,

Mr Phelps moved that the report of the Committee be ~~agreed~~ disagreed to,

Which motion prevailed,

And the bill was ordered to take its place ~~at~~ on file for a first reading,

Report of the Committee on Education, relation to H.B. No. 64, recommending that the bill be referred to the Committee on the Judiciary,

Mr Ransom moved that the report of the Committee be agreed to.

Which motion prevailed,

The report of the committee of the whole relative to H.B. No. 8, recommending that it be passed as amended, was taken up.

Mr Marshman moved that the report be agreed to.

Mr A. D. Wilson moved to amend the report of the committee of the whole by striking out of the bill the ~~allowa~~ allowance for a Private Secretary to the Governor,

And on the motion to strike out demanded the "yeas" and "nays",

Which were had with the following result:

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE,~~ ESQUIBEL, ~~GOTTHELF~~, ~~GREEN, GRIFFIN~~, ~~HELM~~, IRWIN, ~~KITTREDGE~~, ~~KRUSE~~, ~~LAKE,~~ LANGFORD, ~~LARAGOITE~~, ~~LEONARD,~~ LORD, LUTHER, ~~MAYER~~, ~~MARSHMAN~~, ~~McBROOM~~, ~~McDERMITT~~, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, ~~PATTEN,~~ PHELPS, ~~PIERCE~~, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, ~~SMITH~~, STOKES, ~~SURLES~~, ~~VIJIL, WATTS,~~ WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, ~~YOUNG~~ Young, ~~MR. SPEAKER~~. —20.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 22

Gentlemen absent and not voting were: Canfield, Carlile, Gotthelf, Green, Griffin, Moss, Geo. W. Wilson, — 7

And so the motion to strike out did not prevail,

Mr A. D. Wilson moved to amend the report of the Committee of the whole by striking out "three thousand dollars" as the salary of Secretary of State, and inserting in lieu thereof "twenty five hundred dollars",

And upon the motion to strike out and insert demanded the "yeas" and "nays",

Messrs Rand and Marshman demanded a call of the House,

Which was had,

Messrs Canfield, Moss and George M. Wilson, were reported absent without leave.

And the Sergeant at Arms was directed to produce the bodies of the absentees,

Mr Helm moved that further proceedings under the call of the House be dispensed with,

Which motion the Speaker decided did not prevail, twelve gentlemen being less than two-thirds arising in their places upon a call for a division of the question, the negative not being taken,

Mr Ransom ~~moved~~ appealed from the decision of the Chair in deciding

the motion lost without putting the negative,

The question being

Shall the decision of the Chair stand as the decision of the House,

The Chair was sustained.

Mr Phelps moved that further proceedings under the call of the House be dispensed with,

And upon this motion demanded the "yeas" and "nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ~~ARCHULETA~~, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 35

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 7

Gentlemen absent and not voting were;

Canfield, Carlile, Gotthelf, Green, Griffin, Moss, Geo. W. Wilson, — 7

And so the motion to dispense with further proceeding under the call of the House prevailed.

The question then being upon

the motion to amend the report of the Committee of the whole by striking out of the bill "three thousand dollars" and inserting in lieu thereof "twenty-five hundred dollars"

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA~~, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM,~~ IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, ~~McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, ~~VIJIL, WATTS~~, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 16

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 27

Gentlemen absent and not voting were: Canfield, Gotthelf, Green, Griffin, Moss, Geo. W. Wilson, — 6

And so the motion to strike out and insert did not prevail.

The question recurring upon the motion to adopt the report of the Committee

Mr Phelps moved the previous question.

Which was seconded by the House, by a vote of 28 in the affirmative, by a rising vote.

The question being —

Shall the main question be now put, —

The motion prevailed.

And the "yeas" and "nays" were had upon the motion to adopt the report of the committee with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 26

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 17.

Gentlemen absent and not voting were;

Canfield, Gotthelf, Green, Griffin, Moss, Geo. W. Wilson, — 6.

And so the motion to adopt the report of the committee of the whole prevailed,

Mr Phelps moved that the vote by which the committee of the whole was adopted be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay on the table prevailed,

Mr Phelps moved that H. B. No. 8. be ordered engrossed, and that it be ~~p~~ ordered printed as amended.

Which motion prevailed,

Messrs Geo. W. Wilson, A. D. Wilson, McIntyre, and Phelps were granted leave of absence until 10. A.M. tomorrow,

Mr Rand moved that the House do now take a recess until 2 o'clock this afternoon,

Which motion prevailed,

And at 12. o'clock M. the House took a recess.

The House was called to order at 2, P.M. by the Speaker,

Mr Ranson moved that the House do now go into Committee of the whole for the consideration of General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole for the Consideration of General Orders,

With Mr Morehouse in the Chair.

After some time spent therein the committee arose and through its chairman presented the following report;

Mr Speaker:

The Committee of the whole

House have had under consideration "H.B. No. 76 a bill for an act to repeal Chapter 87 of the revised Statutes, and to provide for the government and support of the University of Colorado" have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage; also "H.B. No. 54. a bill for an act to repeal all existing laws relating to chattel mortgages, and to enact other provisions in lieu thereof," and instruct me to report the same back to the House with the recommendation that it be placed on General Orders; also "H.B. No. 85, A bill for an act providing for the adoption and procuring of a seal for the State of Colorado, and designating the officer who shall lawfully use the same and be its custodian, and to declare the penalty for illegally using or counterfeiting the said Seal, and to repeal chapter 78 of the revised Statutes" and instruct me to report the same back to the House, with the recommendation that it be ordered engrossed and passed; Also, H.B. No. 201, a bill for an act to pay for the printing of the General Assembly and the session and all other laws," have made some amendments thereto, and instruct

me to report the same back to the House, with the recommendation that it be engrossed and passed; Also "H.B. No. 215, a bill for an act to provide for the purchase of law books for the library of the Supreme Court of the State of Colorado", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments proposed by the Committee of the whole be agreed to,

P. E. Moorhouse,
Chairman

The Committee on Engrossment presented the following reports;

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 30, A bill for an act to provide in what manner the names of parties may be changed, and such parties be declared the heirs at law of other persons, and to repeal all existing laws relating to the same subject

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H.B. No. 28 A bill for an act to establish the county of Routt,

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H.B. No. 23, A bill for an act to repeal all existing laws in relation to marriage and enact other provisions in lieu thereof

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Bacon moved that the House do now adjourn

Which motion prevailed;

And the House adjourned to 10. a.m tomorrow Wednesday January 10. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Forty-Ninth Day

Forty-Ninth Day

Wednesday January 10th 1877

House met at 10. A.M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER.—43

Being a quorum of the House.

Absent Messrs Gotthelf, Green, Griffin, Moss, Rand, Geo. W. Wilson — 6

Mr Geo. W. Wilson was granted leave of absence until 10. A.M. tomorrow on account of sickness.

Mr Rand was excused from ~~at~~ attendance ~~for~~ upon this mornings session of the House.

Journal of the previous days session was read and approved.

Mr A. D. Wilson was excused from attendance upon the forenoons session of the House.

The Committee on Printing presented the following report:

Mr Speaker;

The Committee on Printing report H.B. No. 8 as amended by the Committee of the whole House, correctly printed

Z. Surles.
Chairman

The Committee on Finance Ways and Means presented the following reports;

MR. SPEAKER:

Your Committee on Finance, Ways and Means to whom was referred H.B. 197. being "An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial departments of the State, interest on the public debt and for public schools" have had the same under consideration, and report it back with the recommendation that it be passed

Isaac Canfield Chairman.

MR. SPEAKER:

Your Committee on Finance, Ways & Means to whom was referred H.B. No. 205. An Act for the purpose of paying the expenses of the State Penitentiary

have had the same under consideration, and report it back with the recommendation that it be passed

Isaac Caufield Chairman.

Mr Phelps moved to add three members to the Committee on Engrossment,

Which motion prevailed,

Mr Irwin was excused from ~~attendance~~ service on the Committee on Engrossment,

Mr Phelps moved that the regular order of business be temporarily dispensed with in order to take up and consider bills reported upon by the Committee on Engrossment,

Which motion prevailed

H.B. No 23 a bill for an act to repeal all existing laws relating to marriage, and to enact other provisions in lieu thereof,

Was read a third time.

Mr Rand moved to strike out Sec. 6, of the bill.

Which motion was lost.

Mr Irwin moved to amend Sec. 2 by inserting after the words "absolutely void" the following words; "and all marriages between negroes or mulattoes of either sex, and white persons, are also declared to be absolutely void".

And upon the motion to insert demanded the "yeas" and "nays", which were had with the following result:

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ~~ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER~~, ~~MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM~~, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 20

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS,~~ PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, ~~SEIBER~~, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES,~~ VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 21

Gentlemen absent and not voting were:

Alberts, Gotthelf, Green, Griffin, Luther, Moss, A.D. Wilson, Geo. W. Wilson, — 8

And so the motion to insert did not prevail,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES,~~ CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 34

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM,~~ IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 10

Gentlemen absent and not voting were:

Gotthelf, Green, Griffin, Moss, A.D. Wilson, Geo. W. Wilson, - 6

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 28. a bill for an act to establish the county of Routt.

Was taken up for a third reading, when

Mr Simmons moved that the third reading of the bill be postponed for the day,

Which motion prevailed.

H.B. No. 30. a bill for

an act to provide in what manner the names of persons may be changed, and such parties be declared the heirs at law of other persons, and to repeal all existing laws relating to the same subject.

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN,~~ HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG,~~ MR. SPEAKER.—42

And Mr Young in the negative—1

Gentlemen absent and not voting were;

Gotthelf, Green, Griffin, Moss, A.D. Wilson, Geo W Wilson—6

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The Speaker announced the appointment of Mr Wilkins as a member of the Committee on Engrossment in place of Mr Irwin, excused.

Also the appointment of Messrs Young and McDermitt as additional members of the Committee on

Engrossment,

H.J.R. No. 8. Memorializing Congress to establish a mail route between Ouray and Animas Fork in San Juan county,

Also,

H.J.R. No. 9. Memorializing the Secretary of War to establish a Military Post in the Uncompahgre Valley,

Also

H.J.R. No. 10. Memorializing Congress to establish an additional Land District in Southwestern Colorado,

Also

H.B. No. 187 an act to provide for the appointment of a board of school directors for the City of Black Hawk, and to repeal Sec. 1 of an amending an act entitled an act to incorporate the city of Black Hawk, approved February 10. A.D. 1865

Also

H.B. No. 190. a bill for an act to provide a fund for the building and maintenance of the Agricultural College of Colorado,

Also,

H.B. No. 233. a bill for

an act to provide for the appointment of a commission to report a plan of organization of a State Reform School,

Also

H.B. No. 277, a bill for an act to authorize foreign administrators and executors to act in this State,

Also

S.B. No. 24, a bill for an act relating to Bonds and interest thereon heretofore issued by Counties, Cities and towns,

Also

S.B. No. 44, a bill for an act to prescribe certain powers and duties of the Officers of the Executive departments, and certain rules in relation to the fiscal affairs of the State in connection therewith,

Were read a first time,

Mr Kruse moved that the House do now take a ~~rec~~ recess to 2. o'clock this afternoon,

Which motion prevailed,

And at 12 o'clock M. the House took a recess

The House was called to order at 2. P.M. by the Speaker

H. J. R. No. 7, Memorializing Congress to provide for the relief of the orphan children of Kit Carson,

Also

H. B. No. 195, a bill for an act to provide ~~for~~ against the evils resulting from the sale of intoxicating liquors in the state of Colorado,

Were read a second time,

And placed on General Order to be considered in Committee of the whole House,

Mr Mayer moved that H. B. No. 195 be laid on the table

And upon the motion to lie on the table, Mr Smith demanded the "Yeas" and "nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. - 8.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF,~~ G~~REEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, SMITH, ~~STOKES, SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. - 33.

Gentlemen absent and not voting were;

Alberts, Esquibel, Gotthelf, Greer, Griffin, Moss, A.D. Wilson, Geo. W. Wilson — 8.

And so the motion to lay on the table did not prevail.

Mr Rand was excused from attendance upon this afternoons session of the House.

Report of the Committee of the whole relative to H.B. No. 76, proposing amendments and recommending its passage as amended, was taken up.

Mr Phelps moved that the amendments proposed by the Committee of the whole be agreed to.

Which motion prevailed.

And the bill was ordered Engrossed.

And the amendments proposed by the Committee of the whole were ordered printed.

Also

Relation to H.B. No. 54 — recommending that it be placed on General Orders.

Mr Phelps moved that the report of the committee of the whole be

agreed to.

Which motion prevailed,

Also

Relation to H.B. No. 85, recommending that it be ordered engrossed and passed,

Mr Kittredge moved that the report of the committee of the whole be agreed to,

Which motion prevailed,

Mr Kittredge moved that H.B. No. 85 be considered engrossed,

Which motion prevailed,

Also

Relation to H.B. No. 20, recommending that it be ordered engrossed and passed as amended,

Mr Kittredge moved that the amendments proposed by the Committee of the whole be agreed to,

Which motion prevailed

And the bill was ordered engrossed,

And the amendments proposed by the committee of the whole were ordered printed.

Also

Relation to H.B. No. 215,

recommending that the amendments proposed by the Committee of the whole be agreed to.

Mr Sevier moved that the report of the Committee of the whole be agreed to.

Which motion prevailed, And the bill was ordered engrossed,

And the amendments proposed by the Committee of the whole were ordered printed.

The Committee on Engrossment presented the following reports

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 197. A bill for an act to provide for the disposition of Lots and parcels of land held in trust by the Corporate authorities of any town, or by any Judge under the provisions of any act of Congress, or of the General Assembly of Colorado or both which are still undisposed of *and find the same correctly engrossed.* as amended

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H.B. No. 8. a bill for an act to provide for the payment of Salaries to Officers of the Executive and Judicial Departments of the State of Colorado

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

H.B. No. 8. a bill for an act to provide for the payment of salaries to officers of the Executive and Judicial departments of the state of Colorado,

Was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAM~~S, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ~~ESQUIBEL~~, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 34

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 6

Gentlemen absent and not voting were:

Alberts, Esquibel, Gotthelf, Green, Griffin, Moss, Rand, A.D. Wilson, Geo. W. Wilson — 9

Messrs Duran, McMurray, Chacon and Carlile, explained as their reason for voting in the affirmative was to give effect to the emergency clause

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

H.B. No. 197, a bill for an act to provide for the disposition of lots and parcels of land held in trust by the corporate authorities of any Town or by any Judge under the provisions of any act of Congress or of the General

Assembly of Colorado, or both, which are still undisposed of.

Was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 40

And none in the negative.

Gentlemen absent and not voting were:

Alberts, Esquibel, Gotthelf, Green, Griffin, Moss, Rand, A. D. Wilson, Geo. W. Wilson — 9

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H. J. R. No. 1. Requesting an appropriation by Congress for the construction of a Military Post in south-western Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H. J. R. No. 2, Relation to the construction of a Military Wagon Road from Fort Garland to the Military Post in La Plata County Colorado

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H. J. R. No. 3. Requesting the establishment of an Indian Agency in La Plata County

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

H.J.R. — Memorializing Congress to establish a Military post in Southwestern Colorado,

Was read a third time,

The question being upon the passage of the ~~bill~~, Joint resolution

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 47

And none in the negative.

Gentlemen absent and not voting were:

Gotthelf, Green, Griffin Moss. Rand. A D Wilson, Geo. W. Wilson — 7

A constitutional majority having voted in favor of the passage of the ~~bill~~, Joint Resolution

The ~~bill~~ Joint Resolution passed.

~~And the title was agreed to.~~

H.J.R. No. 7. Memorializing Congress to construct a Military ~~Post~~ Wagon Road from Fort Garland to the Military post in Southwestern Colorado,

Was read a third time,

The question being upon the passage of the Joint Resolution,

The "Yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.,~~ YOUNG, MR. SPEAKER. 42

And none in the negation.

Gentlemen absent and not voting were;

Gotthelf, Green, Griffin, Moss, Rand, A.D. Wilson, Geo. W. Wilson — 7

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed;

H.J.R. No. 3. Memorializing Congress to establish an Indian Agency in La Plata County Colorado

Was read a third time.

The question being upon the passage of the Joint Resolution

The "Yeas" and "Nays" were had

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 41

And none in the negative;

Gentlemen absent and not voting were:

Gotthelf, Green, Griffin, Marshman, Moss, Rand, A.D. Wilson, Geo. W. Wilson.

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed.

Mr Lake moved that the House do now go into Committee of the whole for the consideration of General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of General Orders,

With Mr Pierce in the chair.

After some time spent therein the Committee arose and through its chairman presented the following report:

Mr Speaker;

The Committee of the whole House have had under consideration

"H.B. No. 20 a bill for an act to amend an act concerning costs in criminal cases" and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders; Also "H.B. No. 105. A bill for an act to establish the office of Commissioner of Mines," etc, and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders; Also "H.B. No. 103, a bill for an act fixing the length of a days work under ground and instruct me to report the same back to the House with the recommendation that it be considered engrossed and put upon its final passage; Also "H.B. No. 189 a bill for an act for the distruction of Wolves, Cayotes and Foxes" and instruct me to report the same back to the House with the recommendation that it be laid on the table; Also "H.B. No. 14. A bill for an act to authorize Clerks of the District Courts to appoint deputies" have amended the title of the bill, by making it read "A bill for an act to authorize clerks of Courts of Record to appoint

deputies" and as so amended recommend the passage of the bill.

W. H. Pierce,
Chairman

Mr Ransom moved that the report of the Committee of the whole be agreed to.

Which motion prevailed.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Jany. 10, 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has adopted "S.C.R. No. 10 in relation to meeting ~~of~~ of Judiciary Committees of the two Houses in Joint Session" which is herewith transmitted. The concurrence of the House is requested.

Respectfully
Geo. F. Clark
Secy of the Senate

Mr Phelps moved

that the rules be suspended and that "A.C.R. No. 10. in relation to meeting of Judiciary Committees of the two Houses in Joint Session" be taken up and considered now,

Which motion prevailed.

Mr Watts moved that the resolution be adopted.

Which motion was lost.

Mr Chacon moved that the House do now adjourn

Which motion was lost.

The members of the Joint Committee on Practice were granted leave of absence until two oclock tomorrow afternoon,

Mr Phelps moved that the House do now adjourn to 9^{30} a.m. tomorrow,

Mr Helm moved that the House do now adjourn.

Which motion prevailed

And the House adjourned to 10 a.m. tomorrow — Thursday. January 18, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fiftieth Day

Fiftieth Day

Thursday January 11th 1877

House met at 10 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER—39

Being a quorum of the House.

Absent Messrs Carlile, Gotthelf, Green, Griffin, Helm, Irwin, Laragoite, Moss, Phelps, Simmons — 10

Journal of the previous days session was read and approved.

The Committee on Roads and Bridges presented the following report:

MR. SPEAKER:

Your Committee on Road and Bridges *to whom was referred* H.B. No. 184. Concerning Toll Roads and Bridges

have had the same under consideration, and report it back with the recommendation that it be passed

Geo A Patten Chairman

The Committee on Indian Affairs presented the following reports:

MR. SPEAKER:

Your Committee on Indian Affairs to whom was referred H.B. No. 145. A bill for an act relating to wild animals

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed for the reason that the same subject is covered by a bill already printed and in the hands of the members

Geo W Wilson Chairman.

MR. SPEAKER:

Your Committee on Indian Affairs to whom was referred "H.J.R. No. 6. Memorial praying for the appointment of a Commission to negotiate for the extinguishment of the Indian title to all lands lying south of parallell 38° 30 ~~south~~ North in the State of Colorado." Also H.B. No. 196. A bill for an act concerning Indians." have had the same under consideration, and report ~~it~~ them back with the recommendation that ~~it~~ they be passed

George W. Wilson Chairman.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented H. B. No. 4, An act to repeal Sections 67 and 68 of Chapter 50 of the revised Statutes of Colorado relating to attachments of the body and issuing executions against the body of a defendant in civil actions and to enact other provisions in lieu thereof, and to release all persons now under arrest or confined in Jails in virtue of such processes issued in civil actions, to his Excellency, the Governor, for his approval, at 12.30 o'clock, P. m., January 6th 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Appropriations and Expenditures presented the following report:

Mr Speaker:

Your Committee on Appropriations and Expenditures to whom was referred H. B. No. 206. Entitled "an act for the capture and return of fugitives from justice" have had the same under consideration and would recommend that the appropriation be changed from six thousand dollars to three thousand dollars and with said change that the said bill do pass

A. Leonard Chairman

Mr Ransom moved that the report of the Joint Committee on Revision be taken ~~up~~ from the table,

Which motion prevailed

Mr Ransome introduced

H. C. R. No. 16, In relation to the appointment of a committee on Revision and Adjustment as recommended in the report under consideration,

Mr Ransome moved that the rules be suspended and that H.C.R. No. 16 be considered now,

Which motion prevailed,

Mr Ransome moved that H.C.R. No. 16. be adopted,

Which motion prevailed.

H.B. No. 197, a bill for an act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, interest on the Public Debt, and for Public Schools;

Also

H.B. No. 205. a bill for an act for the purpose of paying the expenses of the State Penitentiary,

were read a first time,

S.B. No. 74, a bill for an act relating to Bonds and Interest thereon heretofore issued by Counties, Cities and Towns

Also

S. B. No. 44. A bill for an act to prescribe certain powers and duties of the officers of the Executive Department, and certain rules in relation to the fiscal affairs of the State in connection therewith,

Also

H. J. R. No. 8. Memorializing Congress to establish a mail route between Ouray and Animas Forks, Colorado,

Also

H. J. R. No. 9. Memorializing the Secretary of War to establish a Military Post in the Uncompahgre Valley,

Also

H. J. R. No. 10, Memorializing Congress to establish an additional Land ~~Office~~ District in southwestern Colorado,

Were read a second time and placed on General Orders to be considered in Committee of the whole House,

S. B. No. 14. A bill for an act authorizing Clerks of Courts of Record to appoint deputies,

Was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.—35

And none in the negative.

Gentlemen absent and not voting were: Alford, Canfield, Carlile, Gotthelf, Green, Griffin, Helm, Irwin, Laragoite, Moss. Phelps, Simmons, Stokes, A. D. Wilson—14.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to as amended

H. B. No. 85, A bill for an act providing for the adoption and procuring of a Seal for the State of Colorado, and designating the officer who shall lawfully use the same and be its custodian, and to declare the penalty for illegally using or counterfeiting the said Seal, and to repeal Chapter 78 of the revised Statutes,

was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, ~~A. D., WILSON~~, GEO. W., ~~YOUNG~~, MR. SPEAKER.—33

the [illegible] in the negative,

Gentlemen absent and not voting were;

Alford, Canfield, Carley, Gottlieb, Green, Griffin, Helm, Irwin, Laragoite, McIntyre, Moss, Phelps, Simmons, Stokes, A.S. Wilson, Young — 16

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 103, a bill for an act fixing the length of a days work underground, was taken up for a third reading, when

Mr Watts moved that further ~~to~~ consideration of H.B. No. 103, be postponed until tomorrow,

Which motion prevailed;

Mr Pierce moved that the House do now go into Committee of the whole for the consideration of General Orders.

Which motion prevailed,

And the House resolved itself into committee of the whole for the consideration of General Orders,

With Mr Wilkins in the Chair,

After some time spent therein

the Committee arose and through its chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration "H.B. No. 69, a bill for an act to legalize the roads and highways within the State of Colorado", and instruct me to report the same back to the House with the recommendation that it be considered Engrossed, and also recommending its passage: also "H.B. No. 31, a bill for an act in relation to Marks and Brands of Horses and other goods", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that it be passed.

D. F. Wilkins
Chairman

Mr Ransom moved that the report of the Committee of the whole be agreed to,

Which motion prevailed.

And H.B. No. 31, was ordered Engrossed.

And the amendments proposed thereto by the Committee of the whole were ordered printed,

Mr McIntyre moved

that the House do now take a recess until half past two o'clock this afternoon.

Mr Kittridge moved as an amendment that the House do now take a recess until two o'clock this afternoon.

Which motion prevailed,

And at 12 o'clock and 50 minutes the House took a recess,

At 2. oclock in the afternoon the Speaker called the House to order,

Messrs McBroom and Chavers were granted leave of absence until 2. P.M. tomorrow,

Mr Stokes moved that the House do now go into Committee of the whole for the consideration of H.B. No. 31.

Mr Lake moved that the House do now go into Committee of the whole for the consideration of General Orders,

Which motion to amend prevailed,

The question recurring upon the motion as amended,

The motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of General Orders,

With Mr Kittredge in the Chair

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker

The Committee of the whole House have had under consideration "H.B. No 34 a bill for an act for the protection of Game" have made some amendments thereto and instruct me to report the same back to the House, with the recommendation that it be referred to a Special Committee of ~~the~~ three; also "H.B. No. 6. a bill for an act to provide for the payment of certain claims for printing the Constitution of the State," and instruct me to report the same back to the House with the recommendation that it be recommitted to the Committee on Claims; also "H.B. No. 80. a bill for an act to repeal an act entitled an act concerning costs in criminal cases, Approved February 7. 1876." and instruct me to report the same back to the House with the recommendation that it be considered Engrossed and ordered to a third reading; Also

H.J.R. No 4. Memorializing Congress to establish a "Military Post in Grand County Colorado", have made some amendments thereto and instruct me to report the same back to the House with the recommendation that it be passed; Also "H.J.R. No. 7. Memorializing Congress to provide for the support of the orphan children of the late Christopher Carson", and instruct me to report the same back to the House with the recommendation that it be passed; Also "H.B. No. 195, a bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the state of Colorado and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders; Also "S.B. No. 24. a bill for an act relating to Bonds and Interest thereon heretofore issued by Counties, Cities and Towns", and instruct me to report the same back to the House with the recommendation that it be referred to the Committee on Corporations; Also "S.B. No. 44 a bill for an act to prescribe certain powers and duties of the officers of the Executive departments and certain rules in relation to the

fiscal affairs of the State in connection therewith" have made some progress and instruct me to report the same back to the House, report progress, and ask leave to sit again,

C. W. Kittredge
Chairman.

Mr Rand moved that the report of the Committee of the whole be agreed to except that portion relating to S.B. No. 6.

Which motion prevailed,

And S.B. No. 6. was ordered to retain its place on General Orders,

And the amendments proposed by the Committee of the whole and adopted by the House were ordered printed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 11th 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 16, a bill for an act to repeal an act concerning Practice

in the District and Probate Courts approved February 4th 1876. Also

"S.B. No. 38. A Bill for an act to provide for the Right of Eminent Domain" and the concurrence of the House therein is respectfully requested.

Also

House Memorial and Joint Resolution No. 5. and have amended the Title to the same.

S.B.s No. 18 & 38. and H.M. & J.R. No. 5. are herewith transmitted

Respectfully
Geo F Clark
Secy of the Senate

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 213. A bill for an act to provide for the purchase of law Books for the library of the Supreme Court

and find the same correctly engrossed.

N. C. Alford, Chairman.
By D. F. Wilkins.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 76, a bill for an act to repeal Chapter 87 of the revised Statutes, and to provide for the government and support of the University of Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.
By D. F. Wilkins

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 201, a bill for an act to pay for the printing ~~of~~ for the General Assembly and the session and all other laws

and find the same correctly engrossed.

N. C. Alford, Chairman.
By D. F. Wilkins

The Committee on Stock presented the following report:

MR. SPEAKER:

Your Committee on Stock

to whom was referred H.B. No. 261, An act to define the obligations and duties of Railway Companies and Stock owners in cases of killing or injuring stock and the penalties for obstructing Trains

have had the same under consideration, and report it back with the recommendation that it be passed as amended, amendments herewith transmitted

A. D. Wilson *Chairman.*

The Speaker presented the following communication from His Excellency the Governor:

State of Colorado
Executive Department
Denver Jany. 11. 1877

Hon W. H. Anthony,
Speaker of the House
Sir:—

I have the honor to inform you, that I have this day signed House Bill No. 4, entitled "An Act to repeal

Sections 67 and 68 of Revised Statutes &c and have filed the same with the Secretary of State

Very respectfully
John L. Routt,
Governor

Mr Rand moved that H.B. No. 201, be now taken up and read a third time and put upon its final passage,

Which motion prevailed, and

H.B. No. 201, a bill for an act to pay for the printing for the General Assembly and the session and all other laws,

Was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —35

And none in the negative.

Gentlemen absent and not voting were;

Alford, Canfield, Chaves, Gotthelf, Green, Griffin, Laragoite.

McBroom, Moss, Phelps, Pierce, Smith, Stokes, Vogel — 14.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to. as amended

Report of the committee on Stock, relation to H.B. No. 261, recommending amendments thereto and passage as amended,

Was called up by Mr Lord,

Who moved that the report be agreed to,

Which motion prevailed,

Mr Moorhouse moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 10. A.M. tomorrow, Friday, January 12. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-first Day

Fifty first day

Friday January 12, 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—40

Being a quorum of the House.

Absent Messrs Alford, Gotthelf, Green, Griffin, McBroom, Moss, Pierce, Smith, Wilkins — 9

Mr Smith was excused from attendance upon to days session of the House,

Journal of the previous days session was read and approved.

The Committee on Public Buildings presented the following reports:

MR. SPEAKER:

Your Committee on Public Buildings

to whom was referred "H.B. No. 111, A bill for an act in relation to Lunatics"

have had the same under consideration, and report it back with the recommendation that it be returned to the Committee on Public Institutions

A. Schirmer Chairman.

MR. SPEAKER:

Your Committee on Public Buildings

to whom was referred H.B. No. 163, A Bill for an act "Concerning Oaths and affirmations"

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A Schirmer Chairman.

The Committee on Appropriations and Expenditures presented the following report;

Mr. Speaker;

Your Committee on Appropriations and Expenditures to whom was referred H.B. No. 99. A Bill for an act authorizing the Governor to offer rewards for the capture of criminals" have had the same under consideration, and as S.B. No. 44 substantially covers the same ground they would therefore recommend that H.B. No. 99. be laid on the table

A. Leonard,
Chairman

The Committee on Corporations presented the following reports;—

MR. SPEAKER:

Your Committee on Corporations *to whom was referred* H.B. No. 224 entitled A Bill for an act to repeal an act entitled an act concerning acknowledgment of deeds and other instruments in writing relating to real estate, approved Feby 13. 1874 and to make other provisions in lieu thereof *have had the same under consideration, and report it back with the recommendation that it be* passed

J. C. Helm *Chairman.*

MR. SPEAKER:

Your Committee on Corporations

to whom was referred H.R. No. 236 entitled, A Bill for an act to amend the Charter of Georgetown

have had the same under consideration, and report it back with the recommendation that it be passed

J. C. Helm, Chairman.

MR. SPEAKER:

Your Committee on Corporations

to whom was referred H.B. No. 107 entitled "A Bill for an act relating to Municipal Corporations"

have had the same under consideration, and report it back with the recommendation that it be laid on the table

J. C. Helm, Chairman.

MR. SPEAKER:

Your Committee on Corporations

to whom was referred H.B. No. 238. entitled "a Bill for an act to provide for the sale of ~~???~~ lots and parcels of land in Central City and to repeal other laws."

have had the same under consideration, and report it back with the recommendation that it be laid on the table.

J. C. Helm, Chairman.

Mr Speaker

Your Committee on Corporations to whom was referred H.B. No. 177 entitled "an act to amend etc." respectfully report that they have had the same under consideration have slightly amended it, and recommend that it be read and printed as amended.

J. C. Helm,
Chairman

The Special Joint Committee created under S.C.R. No. 8. presented the following report;

Mr Speaker:

Your Joint Committee appointed under H.C.R No. 3. have examined the Vouchers and Books of the Auditor and Treasurer to November 1st and find them correct in every particular.

Geo. A. Patten.
Alva Adams.
Alfred Butters.

The Special Joint committee on Practice acts presented the following report:

To the Speaker of the House of Representatives.

The Joint Committee of the two Houses appointed to consider practice acts, under House Concurrent Resolution No. 15, beg leave to report that they have adopted the following resolution: "Resolved, By this committee that, for the purpose of hearing the sentiment of the two Houses of this General Assembly upon the Code question, we recommend the adoption of House Bills 87 and 88, changed and amended as may be deemed advisable," and the Committee hereby submit a majority report recommending the adoption of said bills in accordance with said resolution.

J. C. Helm

Alfred Butler,
J. B. A. Haynes,
C. H. McIntyre,
T. F. Simmons.
W. A. Hawkill.
J. P. Maxwell.
Henry Hinson.
Mariano Laragoite.

Mr Phelps moved that the report of the Special Joint Committee on Practice acts be made a Special Order for 10.15 A.M. tomorrow,

Which motion prevailed.

The message from the Senate relative to the amendment to the title of H. J. R. No. 5, was taken up.

Mr Langford moved that the amendment be concurred in,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—38

And none in the negative,

Gentlemen absent and not voting were; Alford, Gotthelf, Green, Griffin, McBroom, Moss, Patten, Phelps, Pierce, Smith, Wilkins — 11

A Constitutional majority having voting in favor of concurring in the amendment,

The amendment was concurred in.

H.B. No. 206. a bill for an act for the capture ~~of~~ and return of fugitives from Justice,

Also

H.B. No. 184. a bill for an act concerning Toll Roads and Bridges,

Also

S.B. No. 18. a bill for an act to repeal an act concerning practice in the District and Probate Courts, approved February 4. 1876.

Also

S.B. No. 38. a bill for an act to provide for the exercise of the right of Eminent Domain,

Were read a first time

H.J.R. No. 6. Memorializing ~~Congress~~ the President of the U.S. to appoint a commission to treat for the extinguishment of the Indian title to all lands lying South of parallel 38° 30 north in the State of Colorado,

Also

H.B. No. 261, a bill for an act to define the obligations and duties

of Railway Companies and Stock owners in killing or injuring stock and the penalties for obstructing Trains,

Were read a second time

And placed on General Orders to be considered in Committee of the whole House,

The report of the Committee on Corporations, relative to H.B. No. 177.— recommending amendments thereto, was taken up.

Mr Ransom moved that the report of the Committee be adopted,

Which motion prevailed, and

H.B. No. 177. a bill for an act to amend Sec. 1. of an act entitled an act to provide for and regulate the holding of the District Courts in the several Judicial districts in this State, and the manner of commencing and adjourning the same, and return of process, and providing for transfer of causes therein, and to repeal all other acts in relation thereto, approved 1876.

was read a first time

H.B. No. 69. a bill for an act to legalize the Road and Highways within the State of Colorado,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHÁVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 33

And none in the negative,

Gentlemen absent and not voting were:

Alford, Gotthelf, Green, Griffin, Helm, Lake, Langford, Laragoite, McBroom, Moss, Phelps Pierce, Simmons, Smith, Wilkins, A. D. Wilson, — 16

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H. B. No. 103, a bill for an act fixing the length of a days work under ground,

was read a third time.

Mr Lake moved to amend Section 1. of the bill by striking out the words "under ground" and inserting in lieu thereof the words "mining by the day"

Which motion to amend did not prevail

§)

The question being upon the passage of the bill,
The "yeas" and "nays" were had
Gentlemen voting in the affirmative were:

~~ADAMS~~, ~~ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, ~~PATTEN~~, PHELPS, ~~PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 23

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD~~, ~~ARCHULETA~~, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, ~~HELM~~, ~~IRWIN~~, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, P~~HELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, ~~SEIBER~~, ~~SIMMONS~~, ~~SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS~~, ~~WILKINS~~, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. 19

Gentlemen absent and not voting were:

Alford, Gotthelf, Green, Griffin, Moss, Smith, Wilkins — 7

A constitutional majority not having voted in favor of the passage of the bill.

The bill failed to pass

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Jany 12, 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 62 —

"A Bill for an act to provide a Seal for the Supreme Court of Colorado."
S.B. No. 70. "A Bill for an act to repeal Sec 7 of an Act entitled an Act concerning Costs in certain cases, approved February 11th 1876."
S.B. No. 79. A Bill for an Act to provide for publication and distribution of official reports"
S.M. & J.R. No. 9. Asking Congress for a grant of public Lands and right of way to the Golden, Georgetown and Central R.R. Co." and
S.C.R. No. 11. Authorizing Joint Committee on Auditor and Treasurers Accounts to make entries in books and cancel Vouchers".
And respectfully requests the concurrence of the House therein.
~~S.B.~~ Senate Bills No. 62. 70 and 79. S.M.&J.R. No. 9. and S.C.R. No. 11. are herewith transmitted.

Respectfully
Geo. T. Clark
Secretary of the Senate.

Mr Canfield moved that the House do now take a recess to 2. P.M. this afternoon.

Which motion prevailed,

And the House at 12. oclock and 10. minutes the House took a recess.

The Speaker called the House to order at 2 P.M.

H.B. No. 215, A Bill for an act to provide for the purchase of law books for the Supreme Court Library, was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, G~~RIFFIN~~, ~~HELM~~, I~~RWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOIT~~E, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 37

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINE~~Y, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLE~~S, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 4

Gentlemen absent and not voting were;

Gotthelf, Green, Griffin, Helm, Laragoite, Moss, Patten, Smith, — 8

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

The Committee on Printing presented the following report:

Mr Speaker

The Committee on Printing report H.B. No. 255, corrected as follows:— Section 37, line 5, insert "To the Surgeon seventy five dollars." Otherwise correctly printed, Also House Bills No. 101, 187, 205, and 233, correctly printed

Z. Surles,

Chairman

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 14, A Bill for an Act to authorize Clerks of Courts of Record to appoint deputies

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2 P.M. the Speaker, in the presence of the House signed

S.B. No 14. A Bill for an Act to authorize Clerks of Courts of Record to appoint deputies.

Mr Phelps moved that the House do now go into Committee of the whole for the consideration of S.B. No. 6. and S.B. No. 44.

Which motion prevailed,

And the House resolved itself into Committee of whole for the consideration of S.B. No. 6. and S.B. No. 44.

With Mr Kittredge in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; - The Committee of the whole House have had under consideration "S.B. No. 6, a bill for an act to provide for the payment of certain claims for printing the Constitution of the State" have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that it be passed as amended," Also "S.B. No. 44. A bill for an act to prescribe certain powers and duties of the Officers of the Executive departments, and

certain rules in relation to the fiscal affairs of the State in connection therewith," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended,

C. W. Kittredge,
Chairman,

Mr Ransom moved that the report of the Committee of the whole be agreed to,

Mr Simmons as an amendment that the report be agreed to except where it recommended the insertion of the words "of State" excepting where they were first inserted in Article 5.

Mr Ransom moved as an amendment that the report be ~~a~~ agreed to except where it recommended the insertion of the words "of State" excepting where they were first inserted in Articles 5 - 6 - and 7,

Which motion to amend the amendment did not prevail,

The question recurring upon the motion to amend,

The motion prevailed.

The question then recurring ~~upon~~ upon the motion as amended,

The motion prevailed.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 12. 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has pass'd S.B. No. 48. "A Bill for an Act to encourage the growth of timber and fruit trees" And
S.R. No. 1. Asking Congress to grant ninety-thousand Acres of Land to the Agricultural College and the concurrence of the House therein is respectfully requested,
S.B. No. 48. and S.R. No. 1, are herewith transmitted

Respectfully
Geo. T. Clark
Secretary of the Senate.

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined Memorial & Joint Resolution No. 5. Asking an appropriation from Congress to build a Military wagon Road in Grand County Colorado

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Counties and County Lines presented the following report:

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred H. B. No. 207, A bill for an act to legalize certain proceedings of the County Commissioners of San Juan County

have had the same under consideration, and report it back with the recommendation that it be passed

C. H. McIntyre Chairman.

The Speaker announced as the Special Committee to whom was referred H.B. No. 34,

Messrs Surles, Stokes and Mayer.

Mr McIntyre was granted leave of absence until Monday next at 10. oclock in the forenoon.

Mr Laragoite moved that the House do ~~no~~ now adjourn

Which motion prevailed.

And the House adjourned to 10. a.m. tomorrow, Saturday, January 13. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-Second Day

Fifty Second Day

Saturday January 13th 1877

House met at 10 a.m.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, ~~PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—41

Being a quorum of the House.

Absent Messrs Gotthelf, Green, Griffin, Kruse, Moss, Patten, Smith, Young, —8

Messrs Kruse, Patten and Young were excused from attendance upon todays session of the House.

Journal of the previous days session was read and approved.

Mr Smith was granted leave of absence until Monday next at 10 o'clock in the forenoon.

The hour having arrived for the consideration of the Special Order, being report of the Special Committee on Practice acts relative to H.B. No. 87 and H.B. No. 88, the special order was taken up.

Mr Kittredge moved that the

report of the Committee be adopted.

Mr Phelps moved the previous question,

Which was seconded by the House by a vote of 28 in the affirmative upon a rising vote.

The question being, Shall the main question be now put,

The motion prevailed and the previous question was ordered.

The question being upon the adoption of the report of the Committee,

Mr Helm demanded the "yeas" and "nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS. ~~SMITH,~~ STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 31

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY,~~ MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS,~~ WILSON, A. D., ~~WILSON, GEO. W., YOUNG,~~ MR. SPEAKER. — 9

Gentlemen absent and not voting were: Gotthelf, Green, Griffin, Kruse, McDermitt, Moss, Patten, Smith, Young — 9

And on the motion to adopt the report of the Committee prevailed,

The Committee on Printing presented the following report:

Mr Speaker:

The Committee on Printing report House Bills No. 190, 217, 265, [illegible], [illegible], 197, and 206 as correctly printed

Z. Swelis
Chairman

The Committee on Finance, Ways & Means presented the following report:

MR. SPEAKER:

Your Committee on Finance, Ways & Means, to whom was referred H.B. No. 74, "A Bill for an act to regulate freights and tariffs of ~~Railways~~ Railroads in the State of Colorado"

have had the same under consideration, and report it back with the recommendation that it be indefinitely ~~postponed~~

Isaac Canfield Chairman.

MR. SPEAKER:

Your Committee on Finance, Ways & Means

to whom was referred H.B. No. 44, "A Bill to provide for the assessment and collection of revenue, and to repeal certain act in relation thereto"

have had the same under consideration, and report it back with the ~~*recommendation that it be*~~ accompanying amendments, and recommend its passage as amended.

Isaac Canfield *Chairman.*

The Committee on Claims presented the following report;

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 199, "A Bill for an act to pay Herman Beckhurts for printing 1000 Copies of ~~the~~ Election Laws

have had the same under consideration, and report it back with the recommendation that it be passed

T. J. Watts, *Chairman.*

The Joint Committee on Enrollment presented the following report;

Mr. Speaker;

The Joint Committee on enrollment have examined Memorial and Joint Resolution No. 5, Asking an appropriation from Congress to build a Military Wagon Road in Grand County Colorado

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on the Judiciary presented the following reports;

Mr. Speaker:

Your Committee on Judiciary

to whom was referred H.B. No. 266. A Bill for an act to provide for holding a special term of the District court in El Paso County

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A C Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 53. "A Bill for an act relating to Stays upon executions"

have had the same under consideration, and report it back with the recommendation that it be lie on the table

A C Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 225, "A Bill for an act to amend the existing laws of forcible entry and detainer in respect to service, notice, demand and process.

have had the same under consideration, and report it back with the recommendation that it be passed

A C Phelps Chairman.

Mr. Speaker:

Your Committee on Judiciary

to whom was referred H.B. No. 67. A Bill for an Act authorizing County Clerks in the State of Colorado to administer oaths

have had the same under consideration, and report it back with the recommendation that it be passed

A C Phelps Chairman.

Mr. Speaker:

Your Committee on Judiciary

to whom was referred H.B. No. 774. A Bill for an Act relating to preserving evidences of Deaths and heirship.

have had the same under consideration, and report it back with the recommendation that it be considered in the Committee of the whole after being read and printed in the usual manner

A C Phelps Chairman.

At 10.55 A.M. the Speaker in the presence of the House, signed,

H. M. & J. R. No. 5. Memorializing Congress to build a Military wagon Road in Grand County Colorado.

Mr Pierce moved that the vote by which H.B. No. 103. failed to pass, be reconsidered,

Which motion prevailed,

H.B. No. 207. a bill for an Act to legalize certain proceedings of the County Commissioners of San Juan County,

Also

H.B. No. 279. A bill for an Act to repeal an act entitled an act concerning acknowledgements of deeds, and other other instruments of writing relating to real estate, Approved February 13. 1874, and to make other provisions in lieu thereof.

Also

H.B. No 236. a bill for an act to amend the charter of Georgetown,

Also

S.B. No. 48. A bill for an act to encourage the growth of timber and fruit trees,

Also

S.M. & J.R. No. 9, Asking Congress for a grant of Public Lands &

right of way to the Golden Georgetown and Central R. R. Co.

Also

S.J.R. No. 1. Asking Congress to pass a law granting 90,000 acres of Land to the Agricultural College of the State of Colorado,

Also

S.B. No. 67. A bill for an act to provide a Seal for the Supreme Court of Colorado

Also

S.B. No. 70, A bill for an act to repeal Section 2. of an act entitled an act concerning costs in certain cases Approved February 11. 1876.

Also

S.B. No. 79. A bill for an Act to provide for publication and distribution of official reports,

were read a first time

S.B. No. 18. a bill for an act to repeal an act concerning ~~prac~~ practice in the District and Probate Courts, approved Feby. 4. 1874

Also

S.B. No. 38, a bill to provide for the exercise of the right of Eminent Domain,

Also

H.B. No. 265. A bill for an act to ~~repeal~~ provide for the government and support of the Penitentiary, and the discipline thereof,

Also

H.B. No. 233. a bill for an act to provide for the appointment of a commission to report a plan of organization of a State Reform School,

Also

H.B. No. 205 a bill for an act for the purpose of paying the expenses of the State Penitentiary,

Also

H.B. No. 182. an Act to provide for the appointment of a Board of School Directors for the city of Black Hawk, and to repeal Sec. 1, of an act amending an act entitled an act to incorporate the City of Black Hawk, approved July, 10, 1865.

Also

H.B. No. 101. a bill for an act prescribing ~~and~~ an educational qualification,

Were read a second time and placed on General Orders to be considered in Committee of the whole House,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver, Jany. 13th 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed H.B. No. 33. An Act for the relief of Robt. Y. Force of Arapahoe County. Also H.B. No. 12. an Act to establish the County of Ouray, with certain amendments which are herewith transmitted - the concurrence of your Honorable body in said amendments is respectfully requested.
H.B. No. 33. and H.B. No. 12 are herewith transmitted.

Respectfully
Geo. T. Clark
Secy of the Senate

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Public Buildings, relation to H.B. No. 111. recommending that it be referred to the Committee on State Institutions

Mr Marshman moved that

the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Public Buildings, relation to H.B. No. 163. recommending that it be laid on the table,

Mr Ransom moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Appropriations & Expenditures relation to H.B. No. 99. recommending that it be indefinitely postponed,

Mr Lord moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on Corporations, relation to H.B. No. 107 recommending that it be laid on the table,

Mr Ransom moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Corporations, relation to H.B. No. 238, recommending that it be laid on the table,

Mr Rand moved that the report of the committee be agreed to,

Which motion prevailed,

Mr Wilkins moved that the House do now take a recess to 2. o'clock this afternoon,

Which motion prevailed,

And at 12. o clock and 15 minutes the House took recess.

The Speaker called the House to order at 2. oclock in the afternoon,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Finance, Ways & Means, relation to H.B. No. 44, recommending amendments thereto,

Mr Rand moved that the amendments be placed on file to be considered in committee ~~of the whole~~ with the bill when it comes up in Committee of the whole,

Which motion prevailed

Report of the Committee on Finance, Ways and Means, relation to H.B. No. 74, recommending that it be indefinitely postponed,

Mr Rand moved that the

report of the Committee be agreed to,

Mr Langford moved that the report and the bill be laid on the table,

Which motion prevailed,

Report of the Committee on the Judiciary, relation to H.B. No. 53. recommending that it be laid on the table,

Mr Stokes moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on the Judiciary, relation to H.B. No. 266. recommending that it be laid on the table,

Mr Marshman moved that the report of the Committee be agreed to,

Which motion prevailed,

S.B. No. 6. A bill for an Act to provide for the payment of certain claims for printing the Constitution of the State.

Was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 39.

And none in the negation.

Gentlemen absent and not voting were; Caufield, Gotthelf, Griffin, Inman, Keene, Moss, Patten, Phelps, Smith, Young — 10

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage, as provided in the emergency clause therein contained.

H.B. No. 44, A bill for an act to prescribe certain powers and duties of the officers of the Executive departments, and certain rules in relation to the fiscal affairs of the State in connection therewith.

Was taken up for third reading when Mr Kittredge moved that further consideration of H.B. No. 44, until after the consideration of H.B. No. 44, by the Committee of the whole House,

Which motion to postpone prevailed.

H.B. No. 76, A bill for an act to repeal Chapter 87, of the Revised Statutes, and to provide for the government and support of the University of Colorado,

was read a third time,

Mr Kittredge ~~moved~~ moved to amend the fourth section of the bill by inserting, after the word "board" where it occurs the second time in the section the words "when acting as President of the same",

Which motion to amend prevailed,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, ~~PATTEN~~, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER—40

And none in the negative,

Gentlemen absent and not voting were;

Canfield, Gotthelf, Griffin, Kruse, Moss, Patten, Phelps, Smith, Young—9.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in

the emergency clause therein contained.

Messrs. McBroom and Stokes were granted leave of absence until 10. A.M. Monday next January 15, 1877

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 14. "A Bill for an Act to authorize Clerks of Courts of Record to appoint deputies"

to his Excellency, the Governor, for his approval, at 12.30 o'clock, P. m., January 13th A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H. B. No. 30 "A bill for an Act in relation to Marks and Brands upon Flour, Meal and other goods"

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H. J. R. No. 7 Joint Memorial providing for the relief of the orphan children of the late Christopher Carson, known as Kit Carson

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H. J. R. No. 4, To petition Congress to establish a Military Post in Grand County, State of Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H. B. No. 20, A Bill for an Act to ~~repeal~~ repeal an Act entitled an Act concerning cost in criminal cases, approved February 7. 1876

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Committee on Military Affairs presented the following reports:

MR. SPEAKER:

Your Committee on Military Affairs to whom was referred H.B. No. 73. A bill for an act to define and punish Murder

have had the same under consideration, and report it back with the recommendation that it be passed

W H Green Chairman.

MR. SPEAKER:

Your Committee on Military Affairs to whom was referred H.B. No. 83. "A bill for an act for the enrollment of the Militia, the organization government and pay of the National Guard and the militia, and the care of the public arms, records, relics, banners, and entitled the Military Code", have had the same under consideration, and report it back with the recommendation that it be read a first time and printed for the use of the members

W H Green Chairman.

MR. SPEAKER:

Your Committee on Military affairs to whom was referred H.B. No. 142, A bill for an act relating to Prize Fighters.

have had the same under consideration, and report it back with the recommendation that it be laid on the table

W.H. Greene Chairman.

Mr. Rand moved that the report of the committee on Military affairs relation to H.B. No. 73. H.B. No. 83. and H.B. No. 142. be agreed to,

Which motion prevailed,

Message from the Senate relation to H.B. No. 12. was taken up,

Mr McIntyre moved that the amendments made by the Senate to H.B. No. 12. be concurred in,

Upon this motion to concur

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 32

Gentlemen voting in the negative were; Lord, Luther, A.D. Wilson — 3

Gentlemen absent and not voting were;

Adams, Canfield, Gotthelf, Griffin, Helm, Kruse, Laragoite — McBroom, Moss, Patten, Phelps Smith, Stokes, Young — 14

A constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in,

Messrs Lake and Marshman were excused from attendance upon the remainder of this afternoons session of the House,

Mr Simmons moved that H.B. No. 44. be now taken up for a second reading,

Which motion prevailed and

H.B. No. 44, a bill

to provide for the assessment and collection of revenue, and to repeal certain act in relation thereto,

was read a second time and placed on General Orders to be considered in Committee of the whole House.

Mr Rand moved that the vote by which Senate amendments to H.B. No. 12 were concurred in be reconsidered,

Which motion prevailed,

Mr McIntyre was granted leave of absence until 10. A.M Tuesday next, January 16. 1877

The Committee on Fees and Salaries presented the following report

MR. SPEAKER:

Your Committee on Fees & Salaries to whom was referred H.B. No. 244, An act to provide for the payment of Salaries to Officers of the Executive and Judicial departments of the State of Colorado

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

J. F. Simmons Chairman.

Mr ~~Marshall~~ Morehouse moved that the House do now proceed with the order of second reading of bills,

Which motion prevailed.

H.B. No. 190. A bill for an Act to provide a fund for the building and maintenance of the Agricultural College of Colorado,

Also

H.B. No. 197. A bill for an Act to provide for the ordinary expenses of the Executive, Legislative and Judicial departments of the State interest on the public debt, and for public school,

Also

H.B. No. 206. A bill for an act for the capture and return of fugitives from justice,

Also

H.B. No. 217 A bill for an Act to provide for the expense of the office of Commissioner of Mines for the years 1877 and 1878.

Also

H.B. No. 221, A bill for an Act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive, Legislative & Judicial

departments,

Also

H.B. No. 265, a bill for an Act for the relief of the widow of C. Dominguez.

Also

H.B. No. 272, a bill for an Act to authorize foreign Administrators and Executors to act in this State,

Were read a second time,

And placed on General Orders to be considered in Committee of the whole House,

Mr Leonard moved that the House do now adjourn,

Which motion prevailed

And ~~at~~ the House ~~ad~~ adjourned to 10. A.M. Monday next, January 15. 1877.

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Fifty-Third Day

Fifty Third Day

Monday January 15th 1877

House met at 10. a.m

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 43

Being a quorum of the House.

Absent Messrs Griffin, McIntyre, Moss, Phelps, Smith, Young — 6

Journal of the previous day's session was read and approved.

The Speaker presented the following communication which had been referred to the General Assembly;

Department of Agriculture
Washington D.C. Nov. 13. 1876

To the Secretary of State:

Sir:

In behalf of a Committee appointed by the Agricultural ~~Coll~~ Congress, at its late session in Philadelphia, "to secure such uniform legislation in the several States and Territories on the subject of Collection

of Statistics" &c., I respectfully inquire what provisions of law for the collection of Agricultural Statistics are in force in your State, through what officers, at what cost, with what degree of efficiency, and how edited and published. As Statistician of this Department, also, I desire to receive and utilize such information in stimulating a public interest in the subject, and to procuring both State and national legislation looking towards uniformity and progress.

As there is great objection to the use of Assessors or Tax Collectors, please indicate other local officers of your State more suitable for Statistical work.

Respectfully
J. R. Dodge
Chairman Statistical Committee
of Agricultural Congress.

The communication was referred to the Committee on Agriculture.

The Committee on Printing presented the following report:

Mr Speaker:

The Committee on Printing report House Bills No. 196, 219 and 232 correctly printed

T. Searles Chairman

The Committee on Appropriations & Expenditures presented the following report;

Mr. Speaker:

Your Committee on Appropriations and Expenditures *to whom was referred* H.B. No. 179. A Bill for an Act to repeal Sections 155 and 156 of the revised Statutes and enact other provisions in lieu thereof

have had the same under consideration, and report it back with the recommendation that it be passed with the following additions "or those in the business of milling or Mining from working at the same.

A. Leonard, *Chairman.*

The Committee on Enrollment presented the following report;

Mr. Speaker:

Your Committee on Enrollment have examined H.B. No. 83. An Act for the relief of Robert Y. Force of Arapahoe County

and find the same correctly enrolled.

A. A. Smith, Chairman.
By Geo. Rand.

The Committee on Finance, Ways and Means presented the following report:

Mr. Speaker:

Your Committee on Finance, Ways & Means *to whom was refferred* H.B. No. 36. A Bill for an Act to establish and provide means for the support of a department to regulate insurance companies doing business in the State of Colorado *have had the same under consideration, and report it back with the recommendation that it be* following amendments, and recommend its passage as amended

Isaac Canfield *Chairman.*

Mr Ransom presented the following resolution:

Resolved, that hereafter – unless otherwise ordered it shall be the standing order of this House, that at the close of the morning sessions, a recess shall be taken until two o'clock P.M. after which another recess shall be taken until seven o'clock P.M. And that paragraphs ten, eleven and twelve, of Section 10. of the rules, be suspended from their places in the order of business for the day, and make the order

of business for the coming sessions, they being for the first and second reading and dis-position of bills.

Mr Ransom moved that the resolution be laid on the table for future consideration,

Which motion prevailed,

S.C.R. No. 11. Authorizing Joint Committee on Auditors and Treasurers accounts to make entries in books, and cancel vouchers,

Was taken up.

Mr Morehouse moved that the resolution be adopted;

Which motion prevailed,

Mr Smith was excused from attendance upon todays session of the House,

H.B. No. 67. An Act authorizing County Clerks in the State of Colorado to administer oaths,

Also

H.B. No. 73. A bill for an Act to define and punish murder,

Also,

H.B. No. 83. A bill for an Act for the enrollment of the militia, the organization, government and pay of the National Guard and the militia and

the care of the public arms, records, relics, banners, and entitled the "Military Code",

Also

H.B. No. 199. A bill for an Act to pay Herman Beckurts for printing 1000, copies of Election laws,

Also

H.B. No. 224, A bill for an Act ~~to~~ relating to preserving evidences of deaths and heirships,

Also

H.B. No. 225, A bill for an act to amend the existing laws of ~~for~~ forcible entry and detainer in respect to services, notice, demand and process,

Were read a first time,

S.B. No. 62. A bill for an Act to provide a Seal for the Supreme Court of Colorado.

Also

~~H.B.~~ S.B. No. 48. A bill for an act to encourage the growth of timber and fruit trees,

Also,

S.B. No. 70. A bill for an Act to repeal Sec. 2. of an Act entitled an Act concerning costs in certain cases, Approved February 11. 1876.

Also

S.B. No. 79. A bill for an Act to provide for publication and distribution of official reports,

Also

S.M. & J.R. No. 9. asking Congress for a grant of Public Lands and right of way to the Golden, Georgetown & Central R.R. Co.

Also.

S.J.R. No. 1. asking Congress to pass a law granting 90,000 acres of land to the Agricultural College of the State of Colorado,

Also

H.B. No. 196. a bill for an act concerning Indians.

Also

H.B. No. 237. An act to amend an act concerning costs in criminal cases, approved, Feby, 11. 1876.

Were read a second time

And placed on General Orders to be considered in Committee of the whole House.

H.B. No. 219. a bill for an act for the relief of Silas C Bennett, of Clear Creek County

Was read a second time,

Mr Rand moved that H.B. No. 219. be referred to the Committee on Counties and County Lines,

Which motion prevailed,

Reports of Committees were taken up and disposed of as follows;

Report of Committee on Appropriations and Expenditures, relation to H.B. No. 176. recommending amendments thereto,

Mr Marshman moved that the report of the Committee be agreed to,

Mr Rand moved that the ~~rules~~ order of business be suspended, and that the bill be read a first time,

Which motion prevailed, and

H.B. No. 179. a bill for an Act to repeal Sections 155 and 156. of the revised Statutes, and enact other provisions in lieu thereof,

Was read a first time,

Mr Langford moved that the report and bill be laid on the table,

Which motion prevailed,

Report of the Committee on Finance, Ways and Means relation to H.B. No. 36. recommending amendments,

Mr Rand moved that the report be placed on file to be considered in Committee

of the whole House in connection with H.B. No. 36.

Mr Mayer moved as an amendment that the report be agreed to, and that it be ordered printed,

Mr Rand moved as a substitute for all the motions pending, that the report be ordered printed, and that it be placed on file to be considered in Committee of the whole House in connection with H.B. No. 36,

Which motion prevailed,

The report of the Committee on Fees and Salaries, relative to H.B. No. 144, recommending that it be indefinitely postponed,

Mr Marshman moved that the report and the bill be laid on the table,

Which motion prevailed,

H.B. No. 20. a bill for an Act to amend an act concerning costs in criminal cases,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 24

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, ~~LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES, SURLES~~, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, M~~R. SPEAKER.—10.

Gentlemen absent and not voting were:

Adams, Alford, Canfield, Chacon, Chaves, Gotthelf, Green, Griffin, Helm, McIntyre, Moss, Phelps, Smith, A.D. Wilson, Young—15

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass,

H.B. No. 31, A bill for an Act in relation to Marks and Brands of Flour and other goods,

was read a third time,

Mr Kruse moved to amend Sec. 1. of the bill by striking out the words, "three dollars" and inserting in lieu thereof the words "five dollars" in relation to the fee of the Secretary of State for recording,

Which motion to amend prevailed,

Mr Ransom moved to amend the bill by striking out the word "Chapter" and insert in lieu thereof the word "Act."

Which motion prevailed,

Mr Leonard moved that further consideration of H.B. No. 31, be made a Special Order for 3. P.M. Today,

Which motion was lost,

Mr Rand moved to amend Section 1. of the bill by inserting the words "provided that no person shall be permitted to file a mark or brand similar to any one previously filed", after the word "acknowledged" where it occurs the second time in the section,

Which motion prevailed,

Mr Ransom moved to postpone further consideration of H.B. No. 31, at present, and that it be ordered printed as amended,

Which motion was lost,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—30

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~.— 11

Gentlemen absent and not voting were;

Griffin, Helm, McIntyre, Moss, Phelps, Smith, A.D. Wilson, Young — 8

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

Mr Canfield moved that the House do now take a recess to 2, o'clock this afternoon,

Which motion prevailed

And at 12. o clock and five minutes the House took a recess,

The Speaker called the House to order at 2. P.M.

Messrs Carlile, Young and Vigil were excused from attendance upon this afternoon session of the House.

H.J.R. No. 7. memorializing Congress to provide for the support of the orphan children of the late Christopher Carson,

was read a third time

The question being upon the passage of the Joint Resolution,

The "Yeas" and "Nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—39

And none in the negative,

Gentlemen absent and not voting were; Chacon, Carlile, Green, Griffin, McIntyre, Moss, Phelps, Smith, Vijil, Young—10.

A constitutional majority having voted in favor of the Joint Resolution,

The Joint Resolution passed,

H. J. R. No. 4, Memorializing Congress to establish a Military Post in Grand County.

Was read a third time,

The question being upon the passage of the Joint Resolution

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—41

And none in the negative,

Gentlemen absent and not voting were; Carlile, Green, Lake, McIntyre, Moss, Smith, Vijil, Young—8

A constitutional majority having voted in favor of the passage of the joint resolution,

The Joint Resolution passed,

Mr Kittredge moved that H.B. No. 160, be taken from the table and referred to the committee on State Institutions

Which motion prevailed,

Mr Kittredge moved that the rules be suspended in order that H.B. No. 83. might be referred,

Which motion prevailed,

Mr Kittredge moved that H.B. No. 83. be referred to a Special Committee of three and that it be not printed,

Which motion prevailed,

Mr Irwin moved that the House do now adjourn,

Which motion was lost,

Mr A.D. Wilson, moved that the House do now go into Committee of the whole for the consideration of H.B. No. 261, H.B. No. 107, and H.B. No. 54. and others on General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Marshman

in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker;—

The Committee of the whole House have had under consideration "H.B. No. 261, A bill for an act to define the obligations and duties of railway companies and stock owners in cases of killing or injuring stock, and the penalties for obstructing trains," have made some amendments thereto, and instruct me to report the same back to the House and recommend that it be ordered engrossed for a third reading.

A. C. Marshman.
Chairman.

Mr Ransom moved that the report of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the whole ~~were agreed to~~ were ordered printed

Mr Kittredge moved that the Clerk be instructed to have a ~~callend~~ callender printed twice a week, on Mondays & Thursdays for the use of the members of this House,

which motion prevailed,

The Speaker announced as the Special Committee to whom was referred H.B. No. 83.

Messrs ~~Messrs~~ Kittredge, Pierce and Luther,

Mr Canfield moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 10. A.M, tomorrow, Tuesday, January 16, 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty Fourth Day

Fifty Fourth Day

Tuesday January 16th 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —45

Being a quorum of the House.

Absent Messrs Griffin, Kruse, Moss, Phelps — 4.

Journal of the previous days session was read and approved,

Mr Ransom presented petition of insurance agents of the city of Boulder, asking for the passage of H.B. No. 36.

Mr Ransom moved that the petition be placed on file to be considered in committee of the whole House in connection with H.B. No. 36.

Which motion prevailed,

The Committee on Agriculture presented the following report,

MR. SPEAKER:

Your Committee on Agriculture

to whom was referred H.B. No. 250, a Bill for an Act to encourage the destruction of grasshoppers and to raise a special fund therefor, in the State of Colorado

have had the same under consideration, and report it back with the recommendation that it be passed

W. F. Ramsey Chairman.

The committee on Printing presented the following report;

Mr Speaker;-

The Committee on Printing report H.B.s No. 177, 207, 229, and 236 correctly printed

F. Surles
Chairman

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 33 An Act for the relief of Robert Y. Force of Arapahoe County

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 10.22 A.M. The Speaker in the presence of the House, signed,

H.B. No. 33, A Bill for an Act for the relief of Robt Y Force of Arapahoe County.

H.B. No. 12, A Bill for an Act to create and establish the County of Ouray.

was called up by Mr McIntyre,

The vote by which Senate amendments thereto having been reconsidered,

The question recurred upon the motion to concur,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 38

Gentlemen ~~absent~~ voting in the negation were;

Lord, Luther, Stokes, A.D. Wilson — 4.

Gentlemen absent and not voting were;

Adams, Griffin, Kruse, Langford, Moss, Phelps, Pierce — 7

A constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in,

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

Mr Watts moved that the regular order of business be suspended, and that

H.B. No. 103. A bill for an act fixing the length of a days work under ground,

be now considered,

which motion prevailed,

The vote by which the bill was lost having been reconsidered,

The question recurred upon the final passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE~~, ~~MOSS, PATTEN~~, PHELPS, ~~PIERCE, RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES, VIJIL~~, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W~~., YOUNG, MR. SPEAKER.—24

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D~~., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~.—23

Gentlemen absent and not voting were:

Griffin, Moss, —2

Mr Laragoite asked to be excused from voting and

Mr Pierce moved that he be excused,

which motion was lost,

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass,

Mr Luther moved that the vote by which H.B. No. 20, failed to pass, be

reconsidered,

Which motion prevailed,

Mr Irwin moved that the rules be suspended, and that H.B. No. 20; be put upon its final passage now,

Which motion prevailed,

The question being upon the passage of

H.B. No. 20. A bill for an Act to amend an Act concerning costs in criminal cases,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN,~~ HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS,~~ WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. 28

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, ~~MOREHOUSE~~, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER.- 19

Gentlemen absent and not voting were; Griffin, Moss, — 2

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

But the bill not having received the votes of two-thirds of the members elected to the House,

The House did not order

that the emergency clause take effect,

Mr Phelps moved that the vote by which H.B. No. 20. passed, be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay the motion to reconsider on the table prevailed,

The Committee on State Institutions presented the following reports;

MR. SPEAKER:

Your Committee on State Institutions to whom was refferred H.B. No. 160 A Bill for an act concerning Notaries Public

have had the same under consideration, and report it back with the recommendation that it be amended by Striking out the several Sections of said bill and inserting in lieu thereof, Sections attached to said bill by your committee, and that the bill be passed as amended

C. W. Kittredge Chairman.

MR. SPEAKER:

Your Committee on State Institutions to whom was refferred H.B. No 35, A Bill for an Act to amend an Act concerning Notaries Public

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed,

Chairman.

MR. SPEAKER:

Your Committee on State Institutions to whom was refferred H.B. No. 237 A Bill for an Act requiring a registry of Notary Public and all County and Precinct officers in the state of Colorado, to be kept by the County Clerk

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

C.W. Kittredge Chairman.

MR. SPEAKER:

Your Committee on State Institutions *to whom was refferred* H.B. No. 183 A Bill for an act to authorize the taxation of Church property in certain cases

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed, a provision of the revenue bill accomplishing all that was intended by this bill

C. W. Kittredge *Chairman.*

H.B. No. 256. A bill for an Act to encourage the destruction of grasshoppers, and to raise a special fund therefor in the State of Colorado,

Was read a first time,

S.B. No. 8. A bill for an Act regulating the power of granting injunctions &c.,

Was taken up for a second reading,

Pending its second reading

Mr Hahn moved that S.B. No. 8. be laid on the table for further consideration

Which motion prevailed,

H.B. No. 36. A bill for an Act to establish and provide means for the support of a department to regulate Insurance Companies doing business in the State of Colorado,

Was read a second time,

And placed on General Orders to be considered in Committee of the whole House,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver. Jany. 16. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred ~~&~~ in the amendment proposed by the House to S.B. No. 6. entitled "A bill for an Act to provide for the payment of certain claims for printing the Constitution of the State"

Respectfully
George T. Clark
Secy of the Senate.

H.B. No. 177. A Bill for an Act to amend Section one of an Act entitled "an act to provide for and regulate the holding of the District Courts in the several Judicial districts in this State, and the manner of commencing and adjourning the same and return of process, and providing for transfer of causes therein and to repeal all other acts in relation thereto,

Also

H.B. No. 207. a bill for an act to legalize certain proceedings of the county Commissioners of San Juan County,

Also

H.B. No. 449. a Bill for an act to repeal an act entitled an act concerning acknowledgments of deeds and other instruments of writing relating to real estate, approved Feby 13. 1874. and to enact other provisions in lieu thereof.

Also,

H.B. No. 236. A Bill for an act to amend the Charter of Georgetown,

Were read a second time,

And placed on General Orders to be considered in Committee of the whole House,

Reports of Committees

were taken up and disposed of as follows;

Report of the Committee on State Institutions relation to H.B. No. 160. recommending that all after the enacting clause be stricken out, and other sections be inserted in lieu thereof,

Mr Morehouse moved that the report of the committee of the whole be agreed to,

Which motion prevailed,

Report of the Committee on State Institutions, relation to H.B. No. 237. recommending that it be indefinitely postponed,

Mr Ransom moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on State Institutions relation to H.B. No. 183. recommending that it be indefinitely postponed,

Mr Langford moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on State Institutions, relation to H.B. No. 35, recommending that it be indefinitely postponed.

Mr Lord moved that the report of

the Committee be ~~any~~ agreed to,

Which motion prevailed,

H.B. No. 28. A Bill for an act to create and establish the County of Routt,

Was read a third time,

Mr Stokes moved that the bill be amended by striking out the word "Routt" wherever it occurred, and inserting in lieu thereof the word "Placer",

Mr Adams moved as an amendment to the amendment that the name of the county be made "Custar."

Mr Stokes accepted Mr Adams' amendment,

And the motion to strike out "Routt" and insert "Custar" in lieu thereof, prevailed,

Mr Searles moved to amend the bill as follows:
Strike out all of Section three and insert the following, as Section three of said bill,
That until the county seat shall be located, as provided by law the court for the county, and the county officers shall be held at such place in the county as may be designated by the county commissioners, and at the next general election, after the passage of this act

the qualified electors of said county of Custar, shall select a county seat by ballot, The County Clerk in his notice of said Election shall notify the Electors of said County to have written or printed on their ballots the name of a place for county seat, and the place having a majority of all the votes cast at said election for county seat, shall be the county seat of said county of Custar, The vote for County seat shall be returned to, and canvassed by, the same board of canvassers as by law canvass the vote polled for county offices,

Which motion to amend prevailed,

The amendments were ordered printed,

And the bill as amended was ordered to be engrossed,

Mr Ransom moved that the House do now take a recess to 2. o'clock this afternoon,

Which motion prevailed

And at 12. oclock, M. the House took a recess,

The House was called to order at two o'clock in the afternoon by the Speaker.

Mr Watts moved that the House do now go into committee of the whole for the consideration of H.B. No. 177 and other bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Geo. W. Wilson in the chair.

After some time spent therein the committee arose and through its Chairman presented the following report:

Mr Speaker:- The Committee of the whole House have had under consideration "H.B. No. 177. A Bill for an Act to amend section one of an Act entitled" an act to provide for and regulate the holding of the District courts in the several judicial districts as in this state, and the manner of commencing and adjourning the same, and return of process, and providing for transfer of causes therein, and to repeal all other act in relation thereto." have made some amendments thereto, and instruct

me to report the same back to the House and recommend its passage as amended; Also "H.B. No. 102 A Bill for an Act to establish the office of commissioner of mines, and to repeal an act entitled an act to establish a Territorial assay office, approved January 10. 1868. Also, An act to establish assay offices in Colorado Territory, approved February 8. 1872. Also an act to establish assay offices in Colorado Territory approved Feby 10. 1874 Also, An act to amend an act entitled ~~an~~ an act to establish assay offices in Colorado Territory, approved February 11. 1876," and instruct me to report the same back to the House with the recommendation that it take its place at the foot of the calendar; Also "H.B. No. 54 A Bill for an act to repeal all existing laws in relation to chattel mortgages, and to enact other provisions in lieu thereof", have made some ~~an~~ amendments thereto, and instruct me to report the same back to the House with the recommendation that it be ordered engrossed for a third reading; Also, H.B. No. 22. a bill for an act to repeal all existing laws in relation to the organization, jurisdiction, powers, proceedings

and practice of the County Courts of the State of Colorado, and to enact other provisions in lieu thereof," and instruct me to report the same back to the House with the recommendation that it retain its place on General Orders; Also, "H.B. No. 17 a Bill for an act to provide for the better security of life and property from the dangers of coal and petroleum oils," and instruct me to report the same back to the House with the recommendation that it be laid upon the table subject to the call of the House; also, "H.B. No. 37 a Bill for an Act to create and establish the county of Nampah," and instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; also "H.B. No. 195, a bill for an Act to provide against the evils resulting from the sale of intoxicating liquors in Colorado" and instruct me to report the same back to the House with the recommendation that it be referred to a special Committee of five; Also, H.J.R. No. 8. memorializing Congress to establish a mail route between Ouray and Animas Forks, Colorado," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended; Also, H.J.R. No. 9. Memorializing the Secretary

of war to establish a Military Post in the Uncompahgre Valley, Colorado," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended; Also, H.J.R. No. 10, Memorializing Congress to create ~~and establish~~ an additional Land District in southwestern Colorado," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended; Also H.J.R. No. 6, Memorializing the President of United States to create a commission to treat for the extinguishment of Indian titles to lands in Colorado south of 36°30'," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended; Also "S.B. No. 18, a Bill for an act to repeal an act concerning practice in the District and Probate courts," have made some amendments thereto, and instruct me to report the same back to the House and recommend its passage as amended.

Geo W. Wilson,
Chairman

Mr Phelps moved that the report of the Committee of the

whole be agreed to,

Mr Helm moved that the report be amended by amending H.B. No. 54, by striking out certain words and also by inserting certain words,

Mr Phelps moved as a substitute ~~to amend~~ that the report of the Committee of the whole be amended by striking out the words, "its amount and where recorded," as reported in H.B. No. 54,

Which motion prevailed,

The question recurring upon the motion to adopt the report of the Committee

The motion prevailed,

And H.B. No. 54. H.B. No. 177. H.J.R. No. 8. H.J.R. No. 9. H.J.R. No. 10. and H.J.R. No. 6, were ordered engrossed,

And all amendments presented by the Committee of the whole were ordered printed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 16th 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 10. A Bill for an Act to extend the ~~rigt~~ right of Suffrage to women of lawful age and otherwise qualified according to the provisions of the constitution – Also, S.B. No. 147. A Bill for an Act to provide for the proper representation of the Products and Manufactures of the State of Colorado at the Paris Exposition in the year A.D. 1878. The concurrence of your Honorable body is respectfully requested,

S.B. No. 10. and S.B. No. 147. are herewith transmitted

Respectfully
Geo T. Clark
Secy of the Senate.

The Speaker announced as the special Committee to whom was referred H.B. No. 195.

Messrs Canfield, Rainey, McMurray, Mayer and Loody,

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 12, An Act to ~~create~~ establish and create the County of Ouray

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on the Judiciary presented the following report;

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 228 A Bill for an Act relating to the assessment of the value of the improvements in actions brought to recover real property, or the possession thereof

have had the same under consideration, and report it back with the recommendation that it be passed, with certain amendments herewith transmitted, and they recommend that the bill be printed as amended

A. C. Phelps Chairman.

Mr Phelps moved that the rules be suspended in order that the report of the Judiciary Committee relation to House Bill No. 228 may be considered now, which motion prevailed;

Mr Phelps moved that the report of the Committee be agreed to,

Which motion prevailed,

Mr Morehouse was granted leave of absence to Friday next January 19, 1877 at 10 oclock in the

forenoon.

Mr Smith moved that the House do now adjourn.

Which motion prevailed.

And at five oclock and ~~two~~ twenty minutes the House adjourned to 10 A.M. tomorrow, Wednesday January 17. 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-Fifth Day.

Fifty Fifth Day

Wednesday January 17. 1877

House met at 10. a. m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Being a quorum of the House.

Absent Messrs Griffin, Kittredge, Laragoite Morehouse Moss Phelps — 6

Mr Kittredge was excused from attendance upon todays session of the House,

Journal of the ~~previous~~ days session was read and approved,

The Committee on Printing presented the following report;

Mr Speaker;-

The Committee on Printing report amendments to House Bill No. 261 & 73 Correctly ~~printed~~

L. Surles.

Chairman,

The committee on Irrigation presented the following report;

Mr Speaker,

Your Committee on Irrigation to which was referred H.B. No. 68, a Bill for an Act concerning Lotteries, beg leave to report, That they have had the same under consideration and herewith report it back to the House with the recommendation that it be read, printed and passed.

All of which is respectfully submitted,

Daniel Ransom

Chairman

The Committee on Finance, Ways & Means presented the following report,

MR. SPEAKER:

Your Committee on Finance Ways & Means,

to whom was reffered H.B. No. 65. "An Act to enable Counties having a debt exceeding $5000 to fund the same by issuing bonds":

have had the same under consideration, and report it back with the recommendation that it be passed

Isaac Canfield *Chairman.*

The Committee on Federal Relations presented the following report;

MR. SPEAKER:

Your Committee on Federal Relations *to whom was reffered* H.B. No. 118. A Bill for an Act relating to the United States Government Patents

have had the same under consideration, and report it back with the recommendation that it be laid upon the table for future action

A. C. Marshman *Chairman.*

The committee on Public Buildings presented the following report:

MR. SPEAKER:

Your Committee on Public Buildings *to whom was reffered* H.B. No. 151. An Act relating to the Supreme Court Library

have had the same under consideration, and report it back with the recommendation that it be passed

A. Schriner, *Chairman*

The Joint Committee on Enrollment presented the following reports:

Mr. Speaker:

The Joint Committee on Enrollment presented Memorial and Joint Resolution No. 5, Asking an appropriation from Congress to build a Military Wagon Road in Grand County, Colorado. Also H.B. No. 33. An Act for the relief of Robt. Y. Force of Arapahoe County

to his Excellency, the Governor, for his approval, at 1.30 o'clock, P. m., January 16, A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr. Speaker:

The Joint Committee on enrollment have examined H.B. No. 17, An Act to establish and Create the County of Ouray

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Roads and Bridges presented the following report;

MR. SPEAKER:

Your Committee on Road & Bridges *to whom was refferred* H.B. No. 79. and 193, "An Act to amend Chapter 44 of the revised Statutes of Colorado", also, An Act to establish Roads and Cartways on section lines. *have had the same under consideration, and report ~~it~~ them back ~~with~~ without the recommendation, ~~that it be~~*

Geo A. Patten *Chairman.*

The Committee on the Judiciary presented the following reports;

MR. SPEAKER:

Your Committee on Judiciary *to whom was refferred* H.B. No. 58. A Bill for an Act to repeal Section 16 of Chapter 55. of the Revised Statutes of Colorado *have had the same under consideration, and report it back with the recommendation that it be* amended so as not to apply to any case where a suit has already been brought, and that it be passed with such amendment, which amendment is herewith transmitted

A. C. Phelps. Chairman

MR. SPEAKER:

Your Committee on Judiciary to whom was refferred H.B. No. 260. A Bill for an act relating to competency of witnesses in civil cases

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A. C. Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary to whom was refferred H.B. No. 66. A Bill for an act allowing the plaintiff or defendant to recover reasonable counsel attorneys or solicitors fees of the opposing party as a part of the cost in certain cases,

have had the same under consideration, and report it back with the recommendation that it be considered in Committee of the whole after being read in the usual manner

A. C. Phelps Chairman.

At ten o'clock and twenty seven minutes, the Speaker in the presence of the House, signed

H.B. No. 12, A Bill for an Act to create and establish the county of Ouray.

Mr Smith moved that the vote by which H.B. No. 28. was amended on its third reading by changing the name of the county from "Routt," to "Custar," be reconsidered,

Upon this motion to reconsider,

Mr A. D. Wilson demanded the "yeas" and "Nays".

Which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE,~~ ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS,~~ PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D~~., WILSON, GEO. W., YOUNG, MR. SPEAKER. 24

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE,~~ RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH,~~ STOKES, ~~SURLES, VIJIL, WATTS,~~ WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 20.

Gentlemen absent and not voting were:

Griffin, Kittredge, Laragoite, Morehouse, Moss, — 5.

And so the motion to ~~re~~ ~~considered~~ reconsider prevailed.

Mr Phelps moved that the regular order of business be temporarily suspended in order that H.B. No. 28. may be further considered,

Which motion prevailed,

The question recurring upon the motion to strike out the word "Routt", and insert in lieu thereof the word "Custar",

Mr A.D. Wilson moved that further consideration of H.B. No. 28. be indefinitely postponed,

Upon the motion to ~~postpone~~ indefinitely postpone,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD,~~ LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 13.

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER,~~ SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 31.

Gentlemen absent and not voting were; Griffin, Kittredge, Morehouse, Moss, Schinner — 5.

And as the motion to indefinitely postpone did not prevail,

The question recurring upon

the motion to strike out the word "Routt" and insert in lieu thereof the word "Custar"

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. – 19

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 26

Gentlemen absent and not voting were; Griffin, Kittredge, Morehouse, Moss – 4

And so the motion did not prevail.

The Special joint Committee to examine accounts of the Auditor and Treasurer, presented the following report; Mr Speaker;– The joint Committee under instructions of S.C.R. No 11, have cancelled all vouchers in the hands of the Treasurer paid between January first and November first 1876, and have made the following entry upon the books of the Treasurer and Auditor; The undersigned Joint Committee appointed by the General Assembly to examine the books of the Treasurer and Auditor have

made such examination, commencing January first 1876, and ending November first 1876, and find them correct in every particular

Geo. A Patten.
Alva Adams
House

Alfred Butters
Senate,

Mr Smith presented the following resolution;

Resolved; That Ira Thompson be appointed assistant Janitor of the House of Representatives, and that it be considered that his term of service date from the twenty-ninth day of December, 1876,

Mr Smith moved that the resolution be ~~considered~~ adopted,

Which motion prevailed,

H.B. No. 65. A Bill for an Act to enable counties having a debt exceeding $5,000. to fund the same by issuing bonds

Also

H.B. No. 66. A Bill for an Act allowing the plaintiff or defendant to recover reasonable counsel, attorneys or solicitors fees of the opposing party as a part of the costs in certain cases,

Also

H.B. No. 68. A Bill for an Act

concerning ~~Notaries Public,~~ Lotteries,

Also

H.B. No. 160. A Bill for an act concerning Notaries Public,

Also,

H.B. No. 193. A Bill for an act to establish roads and cartways on Section Lines,

Also,

S.B. No. 10. A Bill for an act to extend the right of suffrage to women of lawful age and otherwise qualified according to the provisions of the Constitution,

Were read a first time.

Mr Raid moved that the House do now take a recess to ~~2:30~~ 1,30 P.M. to day,

Mr Marohman moved as an amendment that the House do now take a recess until two o'clock this afternoon.

Which motion to amend prevailed,

The question recurring upon the motion as amended,

The motion prevailed,

And at 12 o'clock M. the House took a recess

The House was called to order at 2. P.M. by the Speaker.

S.B. No. 147. A Bill for an Act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the year A.D. 1878.

was read a first time,

H.B. No. 79. A Bill for an Act to amend Chapter 44, of the revised Statutes of Colorado.

Was read a second time,

And placed on General Orders for consideration in Committee of the whole House,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on the Judiciary, relation to H.B. No. 58. recommending certain amendments thereto,

Mr Pierce moved that the report of the committee be agreed to;

Which motion prevailed,

Report of the Committee on Federal Relations, relation to H.B. No. 118. recommending that it be laid on the table for future consideration,

Mr Smith moved that the report of the Committee be agreed to.

Which motion prevailed,

Report of the Committee on Public Buildings, relation to H.B. No. 151. recommending its passage,

Mr Kruse moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on the Judiciary, relation to H.B. No. 260, recommending that it be laid on the table,

Mr Simmons moved that the report of the Committee be agreed to,

Which motion prevailed,

The joint Committee on Enrollment presented the following reports;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 6. A Bill for an act to provide for the payment of certain claims for printing the Constitution of the State,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented H B No. 12, An Act to establish and create the County of Ouray

to his Excellency, the [illegible] his approval, at 12 20 o'clock, P m., January 17th A D 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

S B No. 18. A Bill for an Act to repeal an act concerning practice in the District and Probate Courts, approved February 4, 1876.

was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER—41

And none in the negative,

Gentlemen absent and not voting were: Alford, Griffin, Kittredge — Morehouse, Moss, Phelps, Sirles, Young — 8.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the Bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

The Committee on Stock, presented the following report;

MR. SPEAKER:

Your Committee on Stock

to whom was referred H.B. No. 75, A Bill for an Act to provide for the Branding and Care of Stock, and to repeal all previous acts in relation thereto

have had the same under consideration, and report it back with the recommendation that it be passed as amended

S. L. Wilson *Chairman.*

The Committee on Irrigation presented the following report:

Mr. Speaker:

Your Committee on Irrigation

to whom was refferred H.B. No. 15. A Bill for an act to prevent the owners of irrigating ditches from allowing water to run in them excepting at certain seasons of each year

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

Daniel Ransom *Chairman.*

At, 7.20 P.M. the Speaker, in the presence of the House, signed S.B. No. 6. A Bill for an Act to provide for the payment of certain claims for printing the Constitution of the State.

Mr Pierce moved that the House do now go into committee of the whole for the consideration of H.B. No. 44 and other bills on General Orders,

Which motion prevailed,

And the House resolved

itself into committee of the whole,

With Mr Ransom in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration "H.B. No. 44, A Bill for an act providing for assessment and collection of Revenue, and repealing certain acts in relation thereto", have made some progress, and instruct me to report the same back to the House, report progress and ask leave to sit again.

Daniel Ransom
Chairman

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jan. 17. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed H.B. No. 201. A Bill for an Act to pay for the Printing for the General Assembly and this session and all other laws" and S.J.R. No. 6,

"Praying Congress to graduate the price of Public Lands in the State of Colorado not ~~susceptible~~ susceptible of Irrigation" which are herewith transmitted

The concurrence of the House in the passage of S.J.R. No. 6. is requested,

Respectfully
Geo. T. Clark
Secy of the Senate.

The following message was received from His Excellency the Governor;

State of Colorado
Executive Department
Denver Jany. 16. 1877

Hon W. D. Anthony,
Speaker of the House.

Sir;

I have the honor to inform you, that I have this day signed House Bill No. 33. entitled "An Act for the relief of Robt. Y. Force of Arapahoe County," and Memorial and Joint Resolution No 5, "asking appropriation from Congress to build Military Wagon Road in Grand County" and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor

Mr Alford moved that the House do now adjourn,

Which motion prevailed,

And at 4⁵⁰ P.M. the House adjourned to 10. A.M. tomorrow, Thursday. January - 18. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-Sixth Day.

Eighty Sixth Day.

Thursday January 18, 1877

House met at

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN,~~ HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS,~~ PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 43 –

Being a quorum of the House.

Absent Messrs, Griffin, Kittredge, Laragoite, Morehouse, Moss Schinner 6

Mr. Kittredge was granted further leave of absence on account of sickness.

Journal of the previous day's session was read and approved.

The Committee on Irrigation presented the following report;

MR. SPEAKER:

Your Committee on Irrigation

to whom was refferred H. R. No. 246. A Bill for an act concerning Irrigation

have had the same under consideration, and report it back with the recommendation that it be amended as per the schedule accompanying the bill, and that the bill be read and ordered printed with the amendments in their proper places

Daniel Ransom Chairman.

The Committee on Printing presented the following report;

Mr Speaker;

The Committee on Printing report House Bills No. 67. 184. and 199. correctly printed,

F. Sinks.

Chairman.

The Committee on Public Lands presented the following report

{ }

MR. SPEAKER:

Your Committee on Public Lands to whom was refferred H. B. No. 204 entitled An Act to provide for location of the Public Lands

have had the same under consideration, and report it back with the recommendation that it be passed with the title amended as follows: ~~Act~~ An Act to provide for paying the expenses of locating the Public Lands

W. H. Pierce Chairman.

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H. B. No. 201, An Act to pay for the Printing for the General Assembly and the session and all other Laws

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Engrossment presented the following report;

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 261. A Bill for an Act to define the obligations & duties of Railway Companies and Stock owners in cases of Killing or injuring Stock, & repealing all acts or parts of act inconsistant with this act

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

H.B. No. 58. A Bill for an Act to repeal Section 16. of Chapter 55, of the revised Statutes of Colorado

Also

H.B. No. 151. A bill for an act relating to Supreme Court Library.

Also

S.J.R. No. 6. Praying Congress to graduate the price of Public Lands in the State of Colorado not susceptible of irrigation, were read a first time,

S.B. No. 10. A bill for an

act to extend the right of suffrage to women of lawful age and otherwise qualified according to the provisions of the constitution,

Also,

S.B. No. 147. A bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the year A.D. 1878.

Also,

H.B. No. 66, A bill for an act allowing the plaintiff or defendant to recover reasonable counsel, Attorneys or solicitors fees of the opposing party as a part of the costs in certain cases,

Also,

H.B. No. 67 A bill for an act authorizing County Clerks in the State of Colorado to administer oaths,

Also,

H.B. No. 184. A bill for an act concerning toll roads and bridges,

Also,

H.B. No. 199. A bill for an act to pay Herman Beckurts for printing 1000 copies of election laws,

Were read a second time

and placed on General Orders to be considered in committee of the whole House,

Reports of Committees were taken up and disposed of as follows:-

Report of the Committee on Stock, relation to H.B. No. 75, recommending certain amendments thereto,

Mr Ransom moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Irrigation, relation to H.B. No. 15, recommending that it be indefinitely postponed,

Mr Rand moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Irrigation, relation to H.B. No. 246, recommending certain amendments thereto,

Mr Ransom moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Public Lands, relation to H.B. No. 204, recommending certain amendments thereto,

Mr Ransom moved that the report of the committee be agreed to,

Which motion prevailed,

The Committee on

Corporations presented the following report:

MR. SPEAKER:

Your Committee on Corporations

to whom was refferred S. B. No. 24, entitled "A bill for an Act relating to Bonds and Interest thereon heretofore issued by Counties, Cities and towns,"

have had the same under consideration, and report it back with the recommendation that it be passed

J. O. Nelson, *Chairman.*

The Joint Committee on enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on enrollment have examined H. B. No. 201, An act to pay for the printing for the General Assembly and the Session and all other laws

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on [illegible]

... the Speaker in the presence of the House, signed,

H.B. No. 201, an Act to pay for the printing for the General Assembly and the Session and all other laws,

Mr Marshman moved that the House do now go into Committee of the whole,

Mr Ransom moved ~~that~~ as a substitute that the report of the committee of the whole of yesterday, relative to H.B. No. 44, be now taken up and that the request for leave to sit again be granted at this time,

Which motion prevailed,

And the House resolved itself into Committee of the whole for the further consideration of "H.B. No. 44. A bill for an act to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto,"

With Mr Ransom in the Chair,

After some time spent therein the Committee arose and through its Chairman submitted the following report—

Mr Speaker: The Committee of the whole House have had under consideration "H.B. No. 44, a bill for an act to provide for the assessment and collection of revenue and to repeal

[illegible] in relation thereto have made some progress, and instruct me to report the same back to the House, report progress, and ask leave to sit again at 2. o'clock this afternoon,

Daniel Ransom
Chairman

Mr Smith moved that the report of the Committee of the whole be agreed to

Which motion prevailed,

The following message was received from His Excellency the Governor;

State of Colorado.
Executive Department
Denver January 18. 1877

Hon W. B. Anthony
Speaker of the House

Sir;

I have the honor to inform you, that I have this day signed House Bill No. 12. entitled "An Act to establish the County of Ouray, And have filed the same with the Secretary of State,

Very respectfully
John L. Routt,
Governor

The Committee on Public Lands presented the following reports;

Mr. Speaker:

Your Committee on Public Lands

to whom was refferred H. B. No. 194 entitled An Act concerning Grants

have had the same under consideration, and report it back with the recommendation that it be Considered in Committee of the whole

W. H. Pierce Chairman.

Mr. Speaker:

Your Committee on Public Lands

to whom was refferred H. B. No. 109. Entitled A bill for an act relating to deeds

have had the same under consideration, and report it back with the recommendation that it be laid on the table

W. H. Pierce Chairman.

MR. SPEAKER:

Your Committee on Public Lands

to whom was refferred H.B. No. 176, entitled An Act Concerning Land Marks

have had the same under consideration, and report it back with the recommendation that it be laid on the table

W. H. Pierce Chairman.

MR. SPEAKER:

Your Committee on Public Lands

to whom was refferred H.B. No. 119, Entitled An Act Concerning Homesteads

have had the same under consideration, and report it back with the recommendation that it be laid upon the table

W. H. Pierce Chairman.

Mr Marshman moved that reports of the committee on Public Lands, recommending that H.B. No. 109, H.B. No. 119, and H.B. No. 126 be laid on the table, be agreed to,

Which motion prevailed,

Mr Stokes moved that the House do now take a recess to 2. P.M. today,

Which motion prevailed,

And at 12. o'clock M. the House took a recess,

At 2. o'clock in the afternoon the House was called to order by the Speaker,

The Speaker presented the following communication from the Secretary of State;

State of Colorado
Secretary's Office
Denver. Jany. 18. 1877

To the Honorable
The House of Representatives
of Colorado

Gentlemen;—

Learning that an act making an appropriation for the

payment of the printing required by the General Assembly, and of the Laws and Journals, has become a law, I respectfully request that your Committee on Printing furnish this office, as soon as practicable, a memorandum of all bills, resolutions, memorials, and other matter ordered printed by your Honorable body up to this time, otherwise I will have no means of knowing the amount of printing done, and will not be able to compute the amount due the printers under contract with the State.

Most respectfully
Your obt Servant
Wm. M. Clark
Secretary of State.

The communication was referred to the Committee on Printing.

The Speaker presented the following message from His Excellency, the Governor:

State of Colorado
Executive Department
Denver, Jany. 18. 1877

Hon. W. D. Anthony.
Speaker of House.
Sir;
I have the honor to

inform you, that I have this day signed H.B. No. 701 entitled "an Act to pay for the printing for the General Assembly, &c the session and all other laws".
and have filed the same with the Secretary of State.

Very respectfully
John L. Routt.
Governor.

Messrs McBroom, Phelps, and Wilkins were excused from attendance upon this afternoons session of the House.

Mr Marshman moved that Mr Lake be granted leave of absence until Monday next, January 22, 1877. at ten o'clock in the forenoon.

Which motion prevailed.

The House then resolved itself into Committee of the whole for the further consideration of "H.B. No. 44. A bill for an act to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto"

With Mr Ransom in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report:

Mr Speaker:- The Committee of the whole House have had under consideration, "H.B. No. 44. a bill for an act to provide for the assessment and collection of revenue and to repeal certain acts in relation thereto," have made some progress, and instruct me to report the same back to the House, report progress, and ask leave to sit again at 10 A.M. tomorrow, January 19. 1877.

Daniel Ransom
Chairman.

Mr Smith moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Alford moved that the substitute offered by the Committee on Finance Ways and Means, for Section 40. of H.B. No. 44. be ordered printed,

Which motion was lost,

Mr Smith moved that the House do now adjourn,

Which motion prevailed,

And at 5.10 P.M. the House adjourned to 10. a.m. tomorrow. ~~January~~

Friday, January. 19. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-Seventh Day

Fifty-Seventh Day

Friday January 19th 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—43

Being a quorum of the House.

Absent Messrs Canfield, Griffin, Lake, Morehouse, Moss, Watts—6

Journal of the previous days session was read and approved,

Mr Helm ~~moved~~ presented petitions of Insurance agents of Colorado Springs, asking for the passage of H.B. No. 36.

The petitions were referred to the committee of the whole House to be considered in connection with H.B. No. 36.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H. J. R. No. 6. Memorial praying for the appointment of a commission to negotiate for the extinguishment of the Indian Title to all lands lying south of parallel 38° 30' North in the State of Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H. J. R. No. 8 Memorializing Congress to establish a Mail Route between Ouray and Animas Forks

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.J.R. No 10. Memorializing Congress to establish a Land District in Southwestern Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 6. "An Act to provide for the payment of certain claims for printing the constitution of the State" also H.B. No. 201, "an act to pay for the printing for the General Assembly and the session and all other laws"

to his Excellency, the Governor, for his approval, at 12^{20} o'clock, P. m., January 18 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Printing presented the following reports;

The Committee on Printing report H.B. No. 212 corrected as follows:
Page 8. Article 3. Section 15. line 2. for "provided" read "prescribed,"
Page 14. Article 3. Section 37. line 3. After the word "right" insert "or rights,"
Page 16. Article 3. Section 43. line 9. for "Law" read "Loan",
Page 24. Section 71. line 4. strike out "city"
Page 27 Section 75. line 4. between "the" and "care" insert the word "proper,"
Page 32. Sec. 90. line 1. after "be" insert "made or"
Page 34. Sec. 94. line 4. after the word "the" insert ~~and~~ "advice and"
Page 38. Sec 105. line 2. for "four" read "five"
Page 45. Sec. 131. line 6. for "voters" read "owners"

Respectfully submitted
F. Surles
Chairman

Mr Speaker

The Committee on Printing report H.B. No. 223. as correctly printed, Also amendments to H.B. No. 36. in Sec. 4. line 7. for "Salary" read "Solely". otherwise correctly printed

F. Surles. Chairman

The hour having arrived, 10.15 A.M., for which the further consideration of H.B. No. 44. was set,

The House resolved itself into Committee of the whole,

With Mr Ransom in the chair,

After some time spent therein the committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "H.B. No. 44. A Bill for an act to provide for the assessment and collection of Revenue, and to repeal certain acts in relation thereto," have made some progress, and instruct me to report the same back to the House, report progress, and ask leave to sit again, at 2. o'clock this afternoon,

Daniel Ransom
Chairman.

Mr Smith moved that the report of the Committee of the whole be agreed to,

Which motion prevailed;

The following messages were received from the Senate;

State of Colorado
Senate Chamber
Denver. Jany. 18., 1877.

To the Honorable
The House of Representatives.
of the State of Colorado.

I am instructed to inform Your Honorable body that the Senate has amended H.B. No. 215. entitled "A bill for an act to provide for the purchase of Law Books for the Supreme Court" and has passed the same as amended.

Also

Has amended H.B. No. 31. entitled "A Bill for an act in relation to Marks and Brands. of Flour and other goods" and has passed the same as amended

Also

Has passed H. J. R. No. 7. "Providing for the relief of the orphan children of Christopher Carson"

Also

Has passed "S. M. and J. R. No. 8. Memorial to Congress for grant of Arid Lands for Irrigating purposes"

Also

Has passed H.B. No. 55. entitled "A Bill for an act to compel owners of coal mines to fence their Slack piles and abandoned Pits".

Also

Has passed H.B. No. 77 entitled "A Bill for an

not concerning interest,

Also

Has concurred by a 2/3 vote in the amendment proposed by the House to S.B. No. 18. entitled "A Bill for an act concerning Practice in the District and Probate Courts approved Feby. 4th 1876" All of which except S.B. No. 18. are herewith transmitted.

The concurrence of the House is requested, In amendments proposed to H.B. No. 31. and H.B. No. 215. and in Passage of S.B. No. 77, S.B. No. 55. and S.M. and J.R. No. 8.

Respectfully
Geo. T. Clark.
Secretary of the Senate.

State of Colorado.
Senate Chamber
Denver Jan. 19th 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed S.M. and J.R. No. 3. "Asking Congress to establish and maintain a Mint for Coinage at Denver Colorado".

Also

S.B. No. 30, entitled "A Bill for an act for

the protection of Wild game & Insectiverous Birds"

Both of which are herewith transmitted, The concurrence of the House is requested.

Respectfully

Geo. F. Clark

Secy of the Senate.

By unanimous consent Senate amendments to H.B. No. 215, were taken up,

Mr Helm moved that the House concur in Senate amendments to H.B. No. 215. "A Bill for an act to provide for the purchase of law books for the Supreme Court"

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN,~~ HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE,~~ RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. -36

Gentlemen voting in the negative were:

Simmons, Mr Speaker — 2

Gentlemen absent and not voting were: Canfield, Chacon, Griffin, Lake, Laragoite, Morehouse, Moss, Phelps, Pierce, Vijil Watts — 11

A Constitutional majority having voted in favor of concurring in the amendments, they were concurred in,

And the House ordered

that the act take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr Kruse moved that the House do now take a recess until 2. P.M. today;

Which motion prevailed;

And at 12.10 P.M. the House took a recess.

The Speaker called the House to order at 2 o'clock in the afternoon,

The committee on Printing, By unanimous consent presented the following report;

Mr Speaker;

The Committee on Printing report H.B. No. 177. correctly printed

J. Curlis
Chairman

The hour having arrived for the further consideration of H.B. No. 44,

The House resolved itself into committee of the whole

With Mr Ransom in the chair,

After some time spent therein the committee arose and through its Chairman made the following report;

[illegible] Committee of the Whole House have had under consideration "H.B. No 44. a bill for an act to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto" have made some ~~unreadable~~ progress, and instruct me to report the same back to the House, report progress, and ask leave to sit again at 10.15 A.M. tomorrow, January, 20. 1877

Daniel Ransom
Chairman,

Mr Kruse moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

The Committee on Engrossment presented the following report:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No 177 A Bill for an act to amend Section one of an Act entitled and act to provide for, and regulate the holding of the District Courts in the several ~~Ju~~ Judicial Districts in this State and the manner of commencing and adjourning the same and return of process and providing for transfer of Causes therein and to repeal all other act in relation thereto approved December 18 1876 and find the same correctly engrossed.

N. C. Alford, Chairman.

unanimous consent

H.B. No. 177. A Bill for an act to amend Sec one of an act entitled an act to provide for and regulate the holding of the District Courts in the several Judicial Districts in this State, and the manner of commencing and adjourning the same, and return of process, and providing for transfer of causes therein, and to repeal all other acts in relation thereto, approved December 18. 1876.

Was read a third time,

Mr Helm moved that the vote upon the passage of H.B. No. 177, be made a special Order for 10.10 a.m. tomorrow, Saturday, January 20. 1877

Which motion prevailed

Messrs. Langford and Helm were granted leave of absence until Monday next, January 22. 1877, at ten oclock in the forenoon.

Mr McDevitt moved that the House do now adjourn,

Which motion prevailed.

And at 5 oclock and 40 minutes the House adjourned to 10. a.m. tomorrow Saturday. January 20. 1877

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Fifty-Eighth Day

Fifty Eighth Day

Saturday, January 20. 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 41

Being a quorum of the House.

Absent Messrs, Canfield, Griffin, Helm, Irwin, Lake, Langford, Moss, Young — 8

Messrs, Young and Canfield were excused from attendance upon todays session of the House,

Journal of the previous days session was read and approved,

At 10½ a.m. The hour having arrived for the consideration of the Special order, being the vote upon the final passage of

H.B. No. 177. A bill for an act to amend section one of an act entitled an act to provide for and

requisite the holding of the District Courts in the several Judicial Districts in this State; and the manner of commencing and adjourning the same, and return of process, and providing for transfer of causes therein, and to repeal all other acts in relation thereto. Approved December 18. 1876.

The special order was taken up,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, ~~YOUNG~~, MR. SPEAKER. — 40

And none in the negative,

Gentlemen absent and not voting were; Canfield, Griffin, Helm, Irwin, Lake, Langford, Moss Geo. W. Wilson, Young — 9

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

The Committee on Enrollment presented the following reports:

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 215, an act to provide for the purchase of law books for the Library of the Supreme Court,

and find the same correctly enrolled.

A. A. Smith, Chairman.

MR. SPEAKER:

Your Committee on Enrollment have examined H.J.R. No. 7, Providing for the relief of the orphan children of the late Christopher Carson, known as Kit Carson,

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Printing presented the following report;

Mr Speaker

The Committee on Printing report House Bill No. 65, 151, 222, 224 correctly printed

T. Aurlis

Chairman,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 18, An Act to repeal an act concerning Practice in the District and Probate Courts approved February 4. 1876

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Claims presented the following report;

Mr Speaker:-

Your Committee on Claims to whom was referred H.B. No. 267, "A Bill for an act to reimburse Arapahoe County" have had the same under ~~consid~~ consideration and report it back with amendments, Thus amended we recommend that it be passed.

T.J. Watts,
Chairman.

At 10.15 the Speaker in the presence of the House, signed,

S.B. No. 18. A bill for an act to repeal an act concerning practice in the District and Probate Courts,

The hour having arrived, 10.15 A.M. for the further consideration of H.B. No. 44.

The House resolved itself into committee of the whole.

With Mr Ransom in the chair.

After some time spent therein the Committee arose and through its chairman presented the following report;

Mr Speaker;- The Committee of the

whole House have had under consideration "H. B. No. 44, A Bill for an act to provide for the assessment and collection of revenue and to repeal certain act in relation thereto", have made some progress, and instruct me to report the same back to the House, with the recommendation that the bill be referred to a Special Committee of seven to take into consideration matters pertaining to the assessment of railroads, the times of meeting of the state and County boards of equalization, and that the committee be instructed to report on Monday next,

Daniel Ransom
Chairman

Mr Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,
And the Speaker announced
Messrs Kittredge, Adams, Phelps, Morehouse, Sowin, Wilkins, and McIntyre,
As the said Special Committee of seven.

The following message was received from Senate;

State of Colorado
Senate Chamber

Senate Jany 30. 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed Senate Bills No. 35 & 67. herewith transmitted and request the concurrence of the House therein,

Respectfully
Geo F. Clark
Secy of the Senate.

The Committee on Counties and County Lines presented the following report;

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was refferred H.B. No. 219. A bill for an act for the relief of Silas C. Bennett of Clear Creek County.

have had the same under consideration, and report it back with ~~the recommendation that it be~~ amendments - with the recommendation that the Bill as amended do pass

C.A. McIntyre Chairman.

Mr Rand moved that the rules be suspended, and that the report of the Committee on Counties and County Lines be considered now,

Which motion prevailed,

Mr Rand moved that the Report Committee be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee to H.B. No 219. were ordered printed,

Mr Adams moved that Mr Lord be excused to Tuesday next, January 23. 1877. at 10. A.M.

Which motion prevailed,

The Committee on the Judiciary presented the following report;

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 45. A Bill for an act to provide for regulating prosecutions in cases of bastardy

have had the same under consideration, and report it back with the recommendation that it be passed

A C Phelps

The Committee on Agriculture presented the following report;

Your Committee on Agriculture to whom was referred, communication in regard to gathering agricultural Statistics, have had the same under consideration, and report it back with the recommendation that the Revenue laws be amended so as to require the county assessors of each county to schedule the number of acres under cultivation, the number of acres under fence, and the number of acres under irrigation,

A. F. Rainey,
Chairman.

Mr Ransom moved that the report of the Committee on Agriculture be referred to the special Committee of seven in connection with H.B. No. 44

Which motion prevailed.

Mr McIntyre moved that Mr Vigil be granted leave of absence for eight days.

Which motion prevailed,

Mr Ransom moved that the House do now take a recess to 2. P.M. today,

Which motion prevailed,

And at 12. M. the House took a recess

At 2 o'clock in the afternoon the House was called to order by the Speaker,

The House took up Senate amendments to

H.B. No. 31. A Bill for an act in relation to Marks and Brands on Flour and other goods,

Mr Ransom moved that the amendments be concurred in by the House;

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD,~~ CHACON, C~~HAVES,~~ CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN, GRIFFIN, HELM~~, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE,~~ ~~LANGFORD,~~ LARAGOITE, LEONARD, ~~LORD,~~ LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS,~~ PATTEN, ~~PHELPS, PIERCE,~~ ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 30

And none in the negative,

Gentlemen absent and not voting were;

Canfield, Chaves, Gotthelf, Green, Griffin, Helm, Irwin, Lake, Langford, Lord, Moss, Phelp, Pierce, Rainey, Schinner, Simmons, Smith, Vijil, Young — 19

A constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in.

Mr Rainey was excused from attendance upon this afternoon session of the House.

The Joint Committee on Enrollment presented the following reports:

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 18, An Act to repeal an act &c concerning practice in the District and Probate Courts, approved February 4, 1876

to his Excellency, the Governor, for his approval, at 1 2/30 o'clock, P m., January 20, A.D. 1877.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on enrollment have examined H.B. No. 215, "An act to provide for the purchase of law books for the library of the Supreme Court" Also H.J.R. No. 7, providing for the relief of the orphan children of the late Christopher Carson, Known as Kit Carson

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2 10 P.M. the Speaker

signed,

H.J.R. No. 7. Memorializing congress to provide for the support of the orphan Children of the late Christopher Carson,

Also

H.B. No. 25. An act to provide for the purchase of law books for the library of the Supreme Court.

H.B. No. 48. A Bill for an act to provide for regulating prosecutions in cases of bastardy,

Also H.B. No. 94. A Bill for an act concerning Grants,

Also

H.B. No. 204. A Bill for an act to provide for paying the expenses of locating the Public Lands,

Also

H.B. No. 222. A Bill for an act relating to the assessment of the value of the improvements, in actions brought to reconover real property, or the possession thereof.

Also

H.B. No. 246. A Bill for an act concerning Irrigation

Also,

S.B. No. 35, a Bill for an act to regulate the compensation of the Mayor, Aldermen and Trustees of Cities and Towns,

Also,

S.B. No. 30. a Bill for an act for the protection of Wild Game and insectivorous birds,

Also,

S.B. No. 55. a Bill for an act to compel owners of coal mines to fence their slack piles and abandoned pits.

Also,

S.B. No. 67. a Bill for an act to facilitate the recovery of ore unlawfully taken by theft or trespass; to regulate the sale and disposition of ore, and for the better protection of mine owners,

Also,

S.B. No. 77. a Bill for an act concerning Interest,

Also.

S.M. & J.R. No. 3. asking Congress to establish and maintain a mint for coinage at Denver,

Also,

S.M. & J.R. No. 8, Memorial to Congress for grant of arid lands for irrigating purposes,

Were read a first time,

Messrs McBroom, Smith, Phelps, Alford and Leonard were excused from attendance upon the remainder of this afternoons session of the House,

Mr Stokes moved that the rules be suspended and that S.B. No. 30. be referred to the Special Committee having H.B. No. 34. in charge,

Which motion prevailed,

Mr Wilkins moved that the House do now adjourn

Which motion was lost,

S.J.R. No. 6, Praying Congress to graduate the price of Public Lands in the State of Colorado, not susceptible of irrigation,

Was read a second time,

And placed on General Orders for consideration in Committee of the whole House,

Mr Rand moved that the House do now adjourn,

Which motion prevailed.

And at 3. O'clock in the afternoon the House adjourned to 10. A.M. Monday next Jany 22 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Fifty-Ninth Day

Fifty-Ninth Day

Monday January 22. 1877

House met at

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, ~~HELM~~, IRWIN, KITTREDGE, ~~KRUSE~~, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—37

Being a quorum of the House.

Absent Messrs Canfield, Griffin, Helm, Kruse, Lake, Langford, Lord, McBroom, Moss ~~Schinner~~, Smith, Vijil, Young — 12

Journal of the previous days session was read and approved,

The Committee on Printing presented the following report;

Mr Speaker:- The Committee on Printing report House Bills No. 68-58 and amendments to H.B.s Nos 78 & 219. correctly printed

J. Surles
Chairman,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented H.J.R. No. 7. Memorial providing for the relief of the orphan Children of the late Christopher Known as Kit Carson, Also H.B. No. 215. An act to provide for the purchase of law books for the library of the Supreme Court

to his Excellency, the Governor, for his approval, at 4.25 o'clock, P. m., January 20th AD 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Public Lands presented the following report:

MR. SPEAKER:

Your Committee on Public Lands

to whom was referred H.B. No. 65. An act to prevent the burning of timber on Public Lands

have had the same under consideration, and report it back with the recommendation that it be laid on the table, Provisions of said bill being contained in H.B. No. 73

W.H. Pierce Chairman.

Mr Rand of H. Committee on Enrollment reported, verbally, upon H.B. No. 31. clerical errors having been made in Senate amendments thereto,

Mr Rand moved that the vote by which the House concurred in Senate amendments to H.B. No. 31, be reconsidered;

Which motion prevailed,

The Special Committee to whom was referred H.B. No 34 and S.B. No. 30 presented the following report;

Mr Speaker:

Your Special Committee have had under consideration H.B. No. 34, An Act for the protection of Game, and report it back with the recommendation that it be indefinitely postponed,

Also S.B. No. 30. have made some amendments thereto, and recommend it be passed as amended,

T. Suclis;
John H. Stokes
John C. Mayer

Mr Rand moved that Senate amendments to H.B. No. 31, be amended as follows;

In Section 3. twelfth word, add the letter "s," so that it will read "provisions"

instead of "provision"; after the word "final," the thirty-second word, insert the word "not",

Which motion to amend prevailed.

S.B. No. 55. A bill for an act to regulate the compensation of the Mayor, Alderman and Trustees of cities and Towns,

Also

S.B. No. 55. A bill for an act to compel owners of coal mines to fence their slack piles and abandoned pits,

Also

S.B. No. 77. A bill for an act concerning interest,

Also

S.M. & J.R. No. 3. asking Congress to establish and maintain a Mint for coinage at Denver,

Also

S.M. & J.R. No. 8. Memorial to Congress for Grant of arid lands for irrigating purposes;

Also

S.B. No. 67. A bill for an act to facilitate the recovery of ore taken by theft or trespass; to regulate the sale and disposal of the same, and for the better protection of mine owners,

Also

H.B. No. 48. A bill for an act to provide for regulating prosecutions in cases of bastardy,

Also

H.B. No. 58. A Bill for an act to repeal Section 16, of Chapter 55, of the Revised Statutes of Colorado,

Also

H.B. No. 65. a bill for an act to enable counties having a debt exceeding $5,000.- to fund the same by issuing bonds.

Also,

H.B. No. 68. a bill for an act concerning Lotteries,

Also,

H.B. No. 75. A bill for an act to provide for the branding and care of stock, and to repeal all previous acts in relation thereto,

Also,

H.B. No. 112. A bill for an act relating to the assessment of the value of the improvements, in action brought to recover real property, or the possession thereof,

Also

H.B. No. 114. A bill for an act

relating to preserving evidence of deaths and heirships,

Also,

H.B. No. 225, A bill for an act to amend the existing laws of forcible entry and detainer in respect to service, notice, demand and process,

Also

H.B. No. 212. A bill for an act in relation to Municipal Corporations,

Were read a second time and placed on General Orders for consideration in Committee of the whole House,

The Committee on Public Lands presented the following report:

Mr. Speaker:

Your Committee on Public Lands *to whom was referred* H.B. No. 45, A Bill for an act to provide for the protection and preservation of fish, and to repeal an act entitled an act to provide for the protection of fish in Colorado Territory approved Feby. 11, 1870; and an act ~~to amend an act entitled an act~~ Entitled an act to amend an act entitled an act to provide for the protection of fish in Colorado Territory approved Feby 11, 1870 approved Feby 9th 1872. and an act entitled an act to encourage the propagation of fish in Colorado, Territory, approved, Feby 13. 1874 *have had the same under consideration, and report it back with the recommendation that it be* passed with accompanying amendments and that it be printed as amended.

W.H. Pierce *Chairman.*

Reports of Committees were taken up and disposed of as follows;

Report of Special Committee to whom was referred SB. No. 30. recommending certain amendments thereto,

Mr Pierce moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Special Committee to whom was referred H.B. No. 34, recommending that it be indefinitely postponed,

Mr Morehouse moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Public Lands, relation to H.B. No. 67, recommending that it be laid on the table,

Mr Raird moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Public Lands, relation to H.B. No. 45, recommending certain amendments thereto,

Mr. Raird moved that the report of the Committee be agreed to,

Which motion prevailed,

The Special Committee of seven having in charge H.B. No. 44, asked further time for the consideration of matters referred

to them in connection with the bill,

Mr Rand moved, that they be granted further time

Which motion prevailed,

Mr Rand moved that the House do now take a recess until 2. o'clock this afternoon,

Which motion prevailed,

And at 12. o'clock M. the House took a recess,

House was called to order, by the Speaker, at two P.M.

Messrs Marshman, Caufield and Young were granted leave of absence until 10. A.M. Tomorrow,

H.B. No. 261. A bill for an act to define the obligations and duties of railway companies and Stock owners in cases of killing or injuring stock,

Was read a third time,

Mr A.S. Wilson moved to amend the fifth Section of the bill by striking out the word "the" where it occurs after the word "provided,"

Which motion to amend prevailed,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, ~~CARLILE,~~ ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN,~~ McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE,~~ RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. -19

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM,~~ McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. -14

Gentlemen absent and not voting were;

Canfield, Chacon, Gotthelf, Griffin, Helm, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Phelps Seiber, Surles, Vijil, Young-16.

~~Are~~ A constitutional majority not having in favor of the passage of the bill,

The bill failed to pass,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver, Jany. 22. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has corrected the clerical error occurring in last amendment proposed to House Bill No. 31,
The concurrence of the House is requested in such corrected amendment
H.B. No. 31, is herewith transmitted

Respectfully
Geo F. Clark
Secy of the Senate

H.J.R. No. 6, memorializing the President of the United States to appoint a commission to treat for the extinguishment of the Indian title to lands in Colorado south of 36° 30'
Was read a third time
The question being upon the passage of the Joint Resolution,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, ~~CHAVES,~~ CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS,~~ PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —33.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

And none in the negative,

Gentlemen absent and not voting were;

Caufield, Chaves, Gotthelf, Griffin, Hahn, Langford, Laragoite Lord, Marshman, McMurray, Moss, Phelps, Sriber, Sulis, Vijil, Young—16

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed,

Mr Rand moved that S.J.R. No. 9. be taken from General Orders and put upon its final passage,

Which motion prevailed &

S.J.R. No. 9. Asking for Grant of land and right of way to the Golden, Georgetown and Central R.R. Co.

Was read a third time

Mr Stokes moved to amend by adding the following;

Resolved, that the Secretary of State is hereby directed to make and forward—without delay, a certified copy hereof—to each of the following persons; Towit: The President of the United States Senate— The Speaker of the lower branch of congress, and to each of our Senators and Representatives in Congress.

Which motion to amend prevailed,

The question being upon the passage of the Joint Resolution;

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD,~~ CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN,~~ HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., Y~~OUNG~~, MR. SPEAKER—33

~~Gentlemen absent and not voting were;~~ Gentlemen voting in the negative were;

Kittredge, Rainey — 2

Gentlemen absent and not voting were;

Canfield, Gotthelf, Griffin, Helm, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Seiber, Surles, Vijil, Young — 14

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed.

H.J.R. No. 8, asking Congress to establish a mail route between Ouray and Animas Forks,

Was read a third time,

The question being upon the passage of the Joint Resolution

~~Gentlemen voting in the~~

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 36

And none in the negative,

Gentlemen absent and not voting were; Canfield, Griffin, Helm, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Seiber, Surles, Vijil, Young — 13.

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed,

H. J. R. No. 10. Memorializing Congress to establish an additional Land District in Southwestern Colorado,

was read a third time,

Mr. Green moved to amend the resolution by striking out the words "Animas Forks" and "San Juan" where they occur, and insert the words "Lake City" and "Hinsdale" in lieu thereof,

which motion to amend prevailed,

Mr. McIntyre moved that the ~~petition~~ resolution be recommitted to the

Committee on Engrossment for reengrossment,

Mr Phelps moved that the resolution be indefinitely postponed,

Which motion was lost,

The question recurring upon the motion to reengross,

Mr McIntyre moved to amend the resolution by striking out the words "Lake City" and "Hinsdale" where they occur, and insert in lieu thereof the words "Silverton" and "San Juan",

Mr Greene moved to amend the amendment by striking all reference to where the land office should be located,

Which motion to amend the amendment was lost,

The question recurring upon the motion to amend,

The motion to amend was lost,

The question recurring upon the motion to reengross,

Mr McIntyre moved to amend the resolution by striking out the words "Lake City" and "Hinsdale" where they occur, and insert in lieu thereof the words "Ouray" and "Ouray",

which motion to amend was lost,

The question recurring upon the motion to reconsider,

Mr Adams moved that the resolution be laid on the table,

Which motion prevailed,

Mr Rand moved that S.J.R. No. 1, be now taken from General Orders read a third time and put upon its final passage,

Which motion prevailed,

S.J.R. No. 1, Asking Congress for a grant of 90,000 acres of land to the Agricultural College of Colorado,

Was read a third time,

The question being upon the passage of the Joint Resolution,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were;

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ~~ESQUIBE~~L, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 36

And none in the negative,

Gentlemen absent and not voting were; Canfield, Esquibel, Griffin, Helm, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Surles, Vijil, Young - 13.

A Constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed,

Mr Kittredge moved that H.J.R. No. 6, be now taken from General Orders, read a third time and put upon its final passage,

Which motion prevailed, and H.J.R. No. 6, asking Congress to graduate the price of Public Lands etc.,

The question being upon the passage of the Joint Resolution,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, C~~ANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURL~~ES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, M~~R. SPEAKER ~~-~~ 35

And Mr Alford - 1

In the negation.

Gentlemen absent and not voting were; Canfield, Chacon, Griffin, Helm, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Surles, Vijil - Young - 13

A constitutional majority having voted in favor of the passage of the Joint Resolution

The Joint Resolution passed ~~was~~ ~~adopted~~,

Senate amendments to H.B. No. 31, were taken up.

Mr Rand moved that the House concur in Senate amendments to H.B. No. 31. a bill for an act in relation to Marks and Brands of Flour and other Goods,

Upon the motion to concur,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 36.

And none in the negative,

Gentlemen absent and not voting were; Canfield, Griffin, Helm, Irwin, Langford, Laragoite, Lord, Marshman, McMurray, Moss, Surles, Vijil, Young — 13

A constitutional majority having voted in favor of concurring in the Senate amendments,

The amendments were concurred in.

Mr Lake moved that the House do now go into Committee of the whole for the consideration of General Orders,

Which motion prevailed

And the House resolved itself into Committee of the whole,

With Mr Adams in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report:

Mr Speaker:- The Committee of the whole House have had under consideration "S.B. No. 38. A bill for an act to provide for the exercise of the right of eminent domain," have made some amendments thereto, and instruct me to report the same back to the House and recommend that the House concur in the amendments,

Alva Adams
Chairman,

Mr Phelps moved that the report of the Committee be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the whole were ordered printed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 22. 1877

To the Honorable
The House of Representatives
~~of the State of Colorado~~

I am instructed to inform your Honorable body that the Senate has concurred in House ~~amend~~ amendments to S.M. & J.R. No. 9.

Respectfully
Geo. T. Clark,
Secy of the Senate

Mr Marshman moved that the House do now adjourn,

Which motion prevailed

And at 5 15 P.M. the House adjourned to 10. a.m. tomorrow, Tuesday, January 23. 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Sixtieth Day

Sixtieth Day

January 23rd 1877

House met at 10. A.M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 45.

Being a quorum of the House.

Absent Messrs. Lord, Marshman, Moss, Vijil — 4

Journal of the previous day's session was read and approved,

Mr Stokes moved that the order of business be temporarily ~~suspend~~ suspended in order that a motion to reconsider the vote by which H.B. No. 261, was lost, may be made.

Which motion prevailed,

Mr Stokes moved that the vote by which H.B. No. 261, was lost be reconsidered,

Which motion prevailed,

The committee on the Judiciary presented the following report;

MR. SPEAKER:

Your Committee on Judiciary

to whom was refferred H.R. No. 70. A Bill for an act requiring a bond to secure rent and costs of suit in appeals or writs of error from judgments in ejectment &c

have had the same under consideration, and report it back with the recommendation that it be passed

A. C. Phelps, Chairman.

The Committee on Public presented the following report;

MR. SPEAKER:

Your Committee on Public Lands

to whom was refferred H.R. No. 187. A Bill for an act for the protection of fish, to encourage ~~fresh~~ fish culture, and for other purposes,

have had the same under consideration, and report it back with the recommendation that it be laid on the table

W. H. Pierce, Chairman.

The committee on Printing presented the following report,

Mr Speaker;

The Committee on Printing report H.B. No. 54, 151, 160 & 193, correctly printed,

F. Surles,
Chairman,

The committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 31, An Act in relation to Marks and Brands upon Flour and other goods

and find the same correctly enrolled.

A. A. Smith, Chairman.

Mr Adams introduced H.J.R. No. 11, recommending the passage, by Congress, of the Compromise Electoral bill,

Which was read a first time,

H.B. No. [illegible]. A bill for an act requiring a bond to secure rent and costs of suit, in appeals or writs of error from judgments in ejectment,

Was read a first time,

H.B. No. 30. A bill for an act for the protection of wild Game and insectivorous birds,

Also

H.B. No. 193. A bill for an act to establish roads and cartways on Section Lines,

Also

H.B. No. 151. A bill for an act relating to the Supreme Court Library

Also

H.B. No. 160. A bill for an act concerning Notaries Public,

Were read a second time and placed on General Orders to be considered in committee of the whole House,

The report of the Committee on Public Lands relative to H.B. No. 187, recommending that it be laid on the table, was taken up,

Mr. Price moved that the report of the committee be agreed to,

Which motion prevailed,

H. B. No. 38 a bill for an act to provide for the exercise of the right of Eminent Domain.

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —26.

Gentlemen voting in the negative were:

McBroom, Seiber — 2 —

Gentlemen absent and not voting were;

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, MOSS, ~~PATTEN~~, PHELPS, ~~PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. —21

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

Mr McBroom was excused from attendance upon the remainder of to days session of the House,

Mr Lake moved that the House do now go into Committee of the whole for the consideration of General Orders,

Mr. Smith moved as an amendment that the House do now go into Committee of the whole ~~House~~ for

the consideration of H.B. No. 199. and General Orders.

Which motion to amend prevailed.

The question recurring upon the motion as amended,

The motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Pierce in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "H.B. No. 199. A bill for an act to pay Herman Beckurts for printing 1000 copies of election laws;" have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the House agree to the amendments proposed; Also, H.B. No. 101. a bill for an act providing for an educational qualification for electors" and instruct me to report the same back to the House with the recommendation that further consideration of the bill be suspended for the present; Also, "H.B. No. 182 a bill for an act to provide for the appointment of a board of school directors for the City of Black Hawk, and to repeal Section

one of an act entitled an act to incorporate the city of Black Hawk, approved February 10. 1865, have made some amendments thereto, and instruct me to report the same back to the House, with the recommendation that the House agree to the amendments, and recommend its passage," Also, "H.B. No. 205, a bill for an act to provide for paying the expenses of the State Penitentiary," and instruct me to report the same back to the House with the recommendation that it be recommitted to the Committee on Finance, Ways and Means, with instructions to ascertain and report as as near as practicable the actual amount of money this General Assembly should appropriate for the purpose of paying the expenses of the State Penitentiary," Also, "H.B. No. 233, a bill for an act to provide for the appointment of a commission to report a plan of organization for a State Reform School," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended,

W. K. Pierce,

Chairman,

Mr Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed.

And H.B. No. 199. H.B. No. 182. H.B. No. 233. were ordered engrossed,

And the amendments proposed by the Committee of the whole House were ordered printed,

Mr Phelps moved that the House do now take a recess until 2. o'clock this afternoon,

Which motion prevailed,

And at 12. o'clock and 10 minutes the House took a recess.

The House was called to order at 2. P.M.

The Joint Committee on Enrollment presented the following report.

MR. SPEAKER:

The Joint Committee on enrollment have examined H.B. No. 3 An Act in relation to Marks and Brands upon Flour and other Goods

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

[illegible] the Speaker, in the presence of the House, signed

H.B. No. 31, an act in relation to Marks and Brands of Flour, Meal and other goods,

Mr. Phelps moved that the House do now go into Committee of the whole for the consideration of General orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Simmons in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; - The Committee of the whole House have had under consideration "H.B. No. 255, a bill for an act to provide for the government and support of the Penitentiary and the discipline thereof," have made some progress, and instruct me to report the same back to the House report progress and ask leave to sit again,

T. F. Simmons
Chairman,

The Committee on ~~Printing~~ Engrossment presented the following report;

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 28, A Bill for an act to establish the County of Pueblo.

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

The Joint Committee on ~~Engrossment~~ Enrollment presented the following reports;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.M. & J.R. No. 9, asking Congress for a grant of Public Lands and right of way to the Golden, Georgetown and Central R.R. Co.

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr. Speaker;

The Joint Committee on enrollment have examined S.J.R. No. 1. Asking Congress to pass a law granting 90000 acres of land to the Agricultural College of the State of Colorado; Also S.J.R. No. 6. Praying Congress to graduate the price of public Lands in the State of Colorado not susceptible of irrigation

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 5 oo P.M. The Speaker, in the presence of the House, signed

S.J.R. No. 9. Asking Congress for a grant of 90000 acres of land for the Agricultural College of Colorado.

Also,

S.J.R. No. 6. asking Congress to graduate the price of public Lands in Colorado not susceptible of irrigation,

Also,

S.J.R. No. 9. asking Congress for grant of lands and right of way to the Golden Georgetown and Central R.R. Co.

Mr Smith moved that the House do now adjourn,

Which motion prevailed,

And at 5.10 P.M. the House adjourned to 10. a.m. tomorrow, Wednesday, January 24. 1877.

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Sixty First Day

Sixty First Day.

Wednesday Jany. 24. 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, ~~WATTS~~, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 43.

Being a quorum of the House.

Absent Messrs, Moss, Patten, Stokes, Vijil, Watts, Wilkins — 6.

Journal of the previous days session was read and approved.

Messrs. Wilkins and Stokes were excused from attendance upon todays session of the House.

The Committee on Printing presented the following report;

Mr Speaker:

The Committee on Printing report House Bill No. 104, 194 correctly ~~printed~~ printed

J. Luther. Chairman.

The Committee on Elections and apportionments presented the following report;

Mr Speaker;- Your Committee on Elections and apportionments to whom was referred H.B. No. 251, A bill for an act to submit to the qualified electors of the state of Colorado an amendment to Sec. 29. Article VI of the Constitution of the State of Colorado concerning the Judicial Department" have had the same under consideration, and report it back with the recommendation that it be amended as follows; In Sec. 1, after the word "Governor" insert "and officer so appointed shall hold office until the next General Election and until their successors elected thereat shall be duly qualified".

In Sec. 2 strike out, "Or other equivalent words".

And your committee further recommend that the Bill so amended do pass.

H. J. Kruse Chairman

~~The Committee on~~

The following message was received from ~~the Gov~~ His Excellency the Governor;

State of Colorado
Executive Dept.
Denver, Jan. 23. 1877.

Hon W. A. Anthony.
Speaker of the House
Sir:
I have the honor to inform you, that I have this day signed ~~H.B.~~ House Bill No. 215, entitled "An Act to provide for the purchase of Law Books for Library of the Supreme Court, and House Joint Resolution for the relief of the Children of Kit Carson, and have filed the same with the Secretary of State

Very respectfully
John L. Routt
Governor.

H.B. No. 251. a bill for an act to submit to the qualified electors of the State of Colorado ~~and~~ an amendment to Sec. 29. Article 6. of the Constitution of the State of Colorado concerning the Judicial Department,

was read a first time.

H.B. No. 194. a bill for an act concerning Grants.

Also

H.B. No. 204, a bill for an

act to provide for paying the expenses of locating the Public Lands,

Also,

H. J. R. No. 11, recommending the passage by Congress of the Compromise Electoral bill,

Were read a second time,

And placed on General Orders for consideration in Committee of the whole House;

The report of the Committee on Elections and apportionments, relative to H. B. No. 215, recommending certain amendments thereto, was taken up,

Mr Kruse moved that the report of the Committee be agreed to,

Which motion prevailed,

And the bill as amended was ordered printed,

H. B. No. 28. a bill for an act to create and establish the County of Routt;

Was read a third time,

Mr Kittredge moved to amend the bill by striking out the word "bill", the last word of the last section, and insert in lieu thereof the word "Act"

Which motion to amend

prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 25

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES~~, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 16

Gentlemen absent and not voting were; ~~Irwin~~ Irwin, Morehouse, Moss, Patten, Phelps, Stokes, Vijil, Wilkins — 8.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr Pierce moved that the House do now go into committee of the whole for the further consideration of H.B. No. 255, and other bills on General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Simmons in the chair,

After some time spent thereon the committee arose and through its Chairman submitted the following report:

Mr Speaker:— The Committee of the whole House House have had under consideration "H.B. No. 255, a bill for an act to provide for the government and support of the Penitentiary, and the discipline thereof," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that it be referred to a special Joint Committee of the two Houses to be considered by said committee in connection with Senate bills on the same subject, and to report.

T. J. Simmons
Chairman

Mr Raird moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver, Jany. 24th 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable that the Senate has concurred in the amendments proposed by your Honorable body to S.B. No. 38. as follows:

Amendments in lines 29 and 48 in Sec. 6.
" " " 17 " " 10
All of amendments to Sec. 18.

And refuses to concur in the amendments proposed
In lines 40 to 48 in Sec. 6.
" " 2 of " 7
Amendments to " 13
" in lines 2 & 15 " 14
" " " 3 " 15
" proposed to " 17

S.B. No. 38. is herewith transmitted,
Has amended H.B. No. 177. "Providing for the holding of the District Courts" and has passed the same as amended,
The concurrence of the House in the amendments is respectfully requested.

H.B. No. 177 is herewith transmitted,
Has passed S.B. No. 125. "A Bill for an act to regulate the conditions of appeal Bonds and Supersedeas Bonds when the judgment or decree complained of is for the recovery of lands or the possession thereof"; Also, H.J.R. No. 8. "Asking Congress that a mail route be established between Ouray and Animas Forks in San Juan County" and the concurrence of the House ~~is~~ in S.B. No. 125. is respectfully requested, S.B. No. 125 & H.J.R. No 8. herewith transmitted, and has indefinitely postponed action on House Bills No. 20 & 30 which are herewith transmitted

Respectfully
Geo T. Clark
Secy of the Senate

Mr Rand moved that H.B. No. 71, be taken from General Orders and referred to the Committee on Engrossment for the purpose of being engrossed,

Which motion prevailed.

~~S.B.~~ Senate message ~~in~~ relation to H.B. No. 177. was taken up.

Mr Kittredge moved that the House concur in Senate amendments to H.B. No. 177. a bill for,)

AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR AND REGULATE THE HOLDING OF THE DISTRICT COURTS IN THE SEVERAL JUDICIAL DISTRICTS IN THIS STATE, AND THE MANNER OF COMMENCING AND ADJOURNING THE SAME, AND RETURN OF PROCESS, AND PROVIDING FOR TRANSFER OF CAUSES THEREIN, AND TO REPEAL ALL OTHER ACTS IN RELATION THERETO. Approved December 18, 1876.

Upon the motion to concur,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —43

And none in the negative,

Gentlemen absent and not voting were: Irwin, Moss, Patten, Stokes, Vijil, Wilkins —6.

A constitutional majority having voted in favor of concurring in the Senate amendments

The amendments were concurred in

Mr Daragoite moved that the House do now ~~adjourn~~ take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12 o'clock M. the House took a recess,

House was called to order at 2. P.M. by the Speaker,

Mr Simmons moved that the House do now go into committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Rand in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report:

Mr Speaker:- The committee of the whole House have had under consideration, "H.B. No. 190, a bill for an act to provide funds for building and maintenance of the Agricultural College", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the ~~am~~

amendments be agreed to, and recommend its passage as amended; also, "H.B. No. 147, a bill for an act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments," and instruct me to report the same back to the House with the recommendation that it be passed over for the time being; also "H.B. No. 206, a bill for an act for the capture and return of fugitives ~~from~~ from Justice," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended; also, "H.B. No. 217, a bill for an act to provide for the expenses of the Office of Commissioner of Mines for 187- and 1878, and instruct me to report the same back to the House with the recommendation that it retain its place on the Calendar; also, "H.B. No. 241, a bill for an act to provide for issuing warrants by the Auditor in payment of ~~rent~~ rent and contingent expenses of the Executive, Legislative and Judicial Departments, etc, have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to and recommend its passage as amended; also "H.B. No. 265, a bill for an act for the relief of the widow of C. Dominguez,"

have made some amendments thereto and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended; Also, "H.B. No. 72 a bill for an act to authorize foreign administrators and executors to act in this State," and instruct me to report the same back to the House with the recommendation that it be considered engrossed and recommend its passage; Also, "S.B. No. 48 a bill for an act to encourage the growth of timber and fruit trees," and instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also, "S.B. No. 62, a bill for an act to provide a Seal for the Supreme Court," and instruct me to report the same back to the House with the recommendation that it be referred to the Committee on State Institutions with ~~the~~ instructions to report giving ~~a~~ a description of the seal; also, S.B. No. 70. a bill for an act to repeal Sec. 2 of an act ~~concerning~~ concerning costs, approved Feby. 11. 1876, have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended; Also S.B. No. 79. a bill for an

act to provide for publication and distribution of official reports, and instruct me to report the same back to the House and recommend its passage; also, "H.B. No. 196, a bill for an act Concerning Indians," and instruct me to report the same back to the House and recommend its passage; also "H.B. No. 237 a bill for an act to amend an act Concerning costs in criminal cases, approved Feby. 11, 1876," and instruct me to report ~~the~~ the same back to the House with the recommendation that it be engrossed for a third reading; Also, "H.B. No. 36, a bill for an act to establish and provide means for the support of a department of Insurance," etc, and instruct me to report the same back to the House with the recommendation that it be made a Special Order for tomorrow; Also "H.B. No. 207, a bill for an act to legalize certain proceedings of the County Commissioners of San Juan County," and instruct me to report the same back to the House with the recommendation that it be passed over for the time being; Also, "H.B. No. 179, a bill for an act to repeal an act entitled an act concerning acknowledgments of deeds and other instruments in writing relating to real estate, approved February ~~18~~ 13th 1874, and to enact other provisions in lieu thereof," have made some amendments

thereto and instruct me to report the same back to the House with the recommendation that the amendment be agreed to; also "H.B. No. 102 a bill for an act establishing a commissioner of Mines", Etc and instruct me to report the same back ~~the~~ to the House with the recommendation that it be made a Special Order for tomorrow afternoon; also "H.B. No. 236; a bill for an act to amend the charter of Georgetown", and instruct me to report the same back to the House and recommend its passage; also H.B. No. 73, a bill for an act to define and punish murder," and instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also, "H.B. No. 74. a bill for an act to amend Chapter 44 of the revised statutes of Colorado," and instruct me to report the same back to the House with the recommendation that it be passed over for the time being; also H.B. No. 10, a bill for an act to extend ~~the~~ the right of suffrage to women of lawful age, and otherwise qualified according to provisions of the Constitution", and instruct me to report the same back to the House with the recommendation that it be read a third time and

upon its final passage

Geo Rand.

Chairman

Mr Kruse moved that the report of the Committee of the whole be amended by recommending that H.B. No. 10? be made a special order for Friday next January 26, 1877, at half past ten o'clock in the forenoon,

Which motion prevailed,

Mr Kruse moved to further amend the report of the Committee of the whole by recommending that S.B. No. 48. be laid on the table,

Which motion prevailed,

Mr Lake moved that the report of the Committee of the whole be agreed to as amended,

Which motion prevailed,

Mr Chacon moved that the House do now adjourn,

Which motion prevailed,

And at 5 1/2 P.M. the House adjourned to 10. a.m. tomorrow, Thursday, January 25, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Sixty-Second Day

Sixty Second Day

Thursday January 25th 1877

House met at 10. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, ~~PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER—44.

Being a quorum of the House.

Absent Messrs. McBroom Moss, Patten, Vijil, Wilkins—5

Journal of the previous days session was read and approved,

The Speaker presented a communication from the Secretary of State, enclosing a communication from the "Anglo-American Land Mortgage Bank" relating to the Agricultural interests of the State,

Which was referred to the committee on Agriculture

The committee on Printing presented the following report;

Mr Speaker;—

The Committee on Printing

upon House Bill No 211 and H. J. R. No. 11 correctly enrolled

J. Vinter,
Chairman,

The Committee on Federal Relations presented the following report;

MR. SPEAKER:

Your Committee on Federal Relations *to whom was refferred* H. B. No. 84 relating to an adopted child of George A, and Lucretia C. Winslow

have had the same under consideration, and report it back with the recommendation that ~~it be~~ the enacting clause be amended by striking out the words Senate and "House of Representatives" and insert "General Assembly" and that the bill pass as amended

A. C. Marshman *Chairman.*

The Joint Committee on Enrollment presented the following reports;

MR. SPEAKER:

The Joint Committee on Enrollment presented S. J. R. No. 6, Praying Congress to graduate the price of Public Land in the State of Colorado not susceptible of irrigation"; also S. M. & J. R. No. 9 asking Congress for a grant and right of way to the Golden, Georgetown & Central R. R. Company

to his Excellency, the Governor, for his approval, at 12 40 o'clock, P. m., January 24 A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented H. B. No. 31, An Act in relation to Marks and Brands upon Flour Meal and other goods;" also S. J. R. No. 1, asking Congress to pass a law granting ninety thousand acres of land to the Agricultural College of the State of Colorado"

to his Excellency, the Governor, for his approval, at 12 40 o'clock, P. m., January 24, A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Irrigation presented presented the following reports:

Mr. Speaker:

Your Committee on Irrigation

to whom was reffered H.B. No. 82, A Bill for an act concerning the price of water

have had the same under consideration, and report it back with the recommenda-tion that it be read the first ~~time~~ and second times and then laid upon the table without printing

Daniel Ransom *Chairman.*

Mr. Speaker:

Your Committee on Irrigation

to whom was reffered H.B. No. 106, a Bill for an act relating to Irrigation of Lands

have had the same under consideration, and report [illegible] *the recommenda-tion that it be* read the first and second times and laid on the table without printing

Daniel Ransom *Chairman.*

MR. SPEAKER:

Your Committee on Irrigation

to whom was refferred H.B. No. 103 a Bill for an act for the payment of the reward for the artesian well

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

Daniel Ransom Chairman.

MR. SPEAKER:

Your Committee on Irrigation

to whom was refferred H.B. No. 51. A Bill for an act to promote arable agriculture by artesian wells

have had the same under consideration, and report it back with the [illegible]nda-tion that it be amended by striking out all of the bill after the enacting clause, and insert the following: "That an act to promote arable agriculture by artesian irrigation, approved February 11, 1870 be and the same is hereby repealed" and that the bill be read the first and second times as amended, and then laid upon the table without printing

Daniel Ransom, Chairman.

MR. SPEAKER:

Your Committee on Irrigation
to whom was refferred H.B. No. 47. A Bill for an act relating to Irrigation

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

Daniel Ransom *Chairman.*

MR. SPEAKER:

Your Committee on Irrigation
to whom was refferred the petition of Ph. Lang and others on the subject of irrigation

have had the same under consideration, and report it back with the recommendation that it be laid upon the table

Daniel Ransom *Chairman.*
W.H. Green,
I. Gotthelf

MR. SPEAKER:

Your Committee on Irrigation

to whom was referred H. B. No. 230, A Bill for an act creating Boards of Irrigation and providing for hydrographic survey of the State, and making an appropriation therefor

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

Daniel Ransom, *Chairman.*

MR. SPEAKER:

Your Committee on Irrigation

to whom was referred that part of a Resolution adopted Nov 23rd 1876 and which classified subjects of legislation which relate to preventing the introduction, manufacturing or sale of spurious or drugged spirituous liquors; prohibition of lotteries; and authorizing the County Commissioners to fix price of water for irrigation, and also the general subject of irrigation

have had the same under consideration, and ~~*report it back with the recommendation*~~ *that* ~~*it be*~~ we have reported bills to the House upon the subjects mentioned, all of which is respectfully submitted

Daniel Ransom, *Chairman.*

MR. SPEAKER:

Your Committee on Irrigation

to whom was referred H.B. No. 220. A Bill for an act relating to adulterated liquors

have had the same under consideration, and the majority report it back with the recommendation that it be amended as proposed by the amendments accompanying the bill, and that it be read the first time and printed as amended.

W. H. Green } majority of such ~~Chairman.~~ Committee
J. Gotthelf }

I concur in the foregoing report except that the bill be read the first time and laid on the table – Daniel Ransom, one of the Committee

MR. SPEAKER:

Your Committee on Irrigation

to whom was referred H.B. No. 71, A Bill for an act to prohibit and punish the importation, manufacture and sale of adulterated, imitation, and poisonous liquors, and creating a Commissioner of excise, and prescribing his duties –

have had the same under consideration, and the majority report it back with the recommendation that it be indefinitely postponed. All of which is respectfully submitted.

D. F. Wilkins } Majority of the ~~Chairman.~~ Committee
G. Langford }
W. H. Green }
J. Gotthelf }

Mr Speaker:

Your Committee on Irrigation, to which was referred House Bill No. 24 - a Bill for an act to prohibit and punish the importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a Commissioner of excise, and prescribing his duties, have had the same under consideration, and the minority begs leave to report to the House certain amendments thereto, And as the bill has not been printed, and the amendments so many, pains have been taken to to re-write all the sections except the last one, with the amendments in their proper places, And I would respectfully recommend that all of the sections of the bill between the enacting clause and the last section be stricken out, and the re-written sections be inserted in their places, and printed as thus amended, and then put upon its second reading, All of which is respectfully submitted,

Daniel Ransom. (a minority of the Committee)

The Committee on Engrossment presented the following reports;

Mr. Speaker:

Your Committee on Engrossment have examined H B No. 187
A Bill for an act to provide for the appointment of a Board of school directors for the city of Black Hawk; and to repeal Sec. one of an act amending an act entitled an act to incorporate the city of Black Hawk approved February 10, A.D. 1875

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H B No. 199.
A Bill for an act to pay Herman Bickerts for printing one thousand copies of Election Laws

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 54

A Bill for ~~an~~ an act to repeal all existing laws concerning Chattel Mortgages and to enact other provisions in lieu thereof

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 233,

A Bill for an act to provide for the appointment of a commission to report a plan of organization for a State Reform School

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 190.
A Bill for an act to provide a fund for the building and maintenance of the Agricultural College of Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Committee on Enrollment presented the following report;

Mr Speaker;

Your Committee on Enrollment have examined H.B. No. 177, a Bill for an act to amend Section 1 of an act entitled an act to provide for and regulate the holding of the District courts in the several Judicial Districts in this State, and the manner of commencing and adjourning the same, and return of process, and providing for transfer of causes therein, and to repeal all

other acts in relation thereto, approved December 18. 1876, And find the same correctly Enrolled

A. H. Smith
Chairman

The following message was received from His Excellency the Governor;

State of Colorado
Executive Department
Denver Jany. 24. 1877.

Hon W. D. Anthony,
Speaker of House of Representatives
Sir;

I have the honor to inform you, that I have this day signed House Bill No. 31, entitled "An Act in relation to Marks and Brands upon Horses, cattle and other Goods", and have filed the same with the Secretary of State.

Very respectfully
John L. Routt,
Governor,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany 25, 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate requests the return of S.B. No. 38, for the purpose of reconsidering its action on amendments proposed by the House

Respectfully
Geo. F. Clark
Secy of the Senate,

Mr Phelps moved that the request of the Senate for the return of S.B. No. 38. be complied with,

Which motion prevailed,

Mr Phelps introduced
H.C.R. No. 17. To raise a Joint Committee for the consideration of bills relation to the government and support of the State Penitentiary,

By unanimous consent,
Mr Phelps moved that the resolution be adopted,

Which motion prevailed,

H.B. No. 261. A bill for an act to define the obligations and duties

of railway companies and stock owners in cases of killing or injuring stock etc," was called up.

The vote by which it was lost on final passage having been reconsidered,

The question recurred upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, ~~McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—23.

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ~~ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~—18

Gentlemen absent and not voting were; Helm, Kittredge, McBroom, Moss, Patten, Seiber, Vijil, Wilkins—8.

A constitutional majority not having voted in favor of the passage of the bill

The bill failed to pass,

Messrs McBroom and Wilkins were excused from attendance upon the remainder of todays session of the House,

Mr Simmons moved that

Mr Patten be granted leave of absence until Monday next, January 29, 1877 at ten o'clock in the forenoon,

Which motion prevailed.

S.B. No. 125. a bill for an act to regulate the conditions of appeal bonds and supersedeas bonds when the judgment or decree complained of is for the recovery of lands or the possession thereof,

Was read a first time,

H.B. No. 70. a bill for an act requiring a bond to secure ~~rent~~ rent and costs of suit in appeals or writs of error from judgments in ejectment,

Was taken up for a second reading, when

Mr Phelps moved that the rules be suspended and that the bill be referred to the Committee of the whole House for consideration in connection with S.B. No. 125.

Which motion prevailed.

H.B. No. 250 a bill for an act to encourage the destruction of grasshoppers, and to raise a special fund therefor in the State of Colorado.

Was read a second time and placed on General Orders ~~for~~ to be considered in Committee of the whole House

H. B. No. 10. A Bill for an act to extend the right of suffrage to women of lawful age and otherwise qualified according to the provisions of the Constitution, was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS,~~ ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN,~~ GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 30

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 12

~~A constitutional majority having voted in favor of the passage of the bill,~~
~~The bill passed.~~
~~And the title was agreed to.~~

Gentlemen absent and not voting were; Helm, Kittredge, McBroom, Moss, Patten, Vijil, Wilkins — 7

Mr Chacon explained his vote as follows;

In my opinion the Constitution of our State requires and even compels the first General Assembly to enact a law to submit the "right of suffrage" to the vote of the people at the next general election, and considering that under my oath to ~~supply~~ support and comply with the Constitution I am compelled to have

the law [illegible], therefor I will vote "aye" on this question, at the same time entering my protest against the suffrage, for I consider it unjust, senseless, unreasonable and ridiculous

Urbano Chacon

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S.B. No. 70. A Bill for an act to repeal Sec. 2. of an act entitled an act concerning costs in certain cases, approved February 11, 1876.

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE,~~ KRUSE, LAKE ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 33

Gentlemen voting in the negative were; Irwin, Langford, Laragoite, Luther, Rand, Smith, Stokes, Young — 8

Gentlemen absent and not voting were; Helm, Kittredge, McBroom, Moss, Patten, Phelps, Vijil, Wilkins — 8

The title was amended by striking out the words "Section two (2) of"

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S.B. No. 79, a bill for an act to provide for publication and distribution of official reports,
Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE,~~ ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELP~~S, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKIN~~S, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 38

Gentlemen voting in the negative were:

Langford, Stokes — 2
Gentlemen absent and not voting were; Carlile, Helm, Kittredge, McBroom, Moss, Patten, Phelps, Vijil, Wilkins — 9.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 54, a bill for an act to repeal all existing laws ~~of~~ concerning chattel mortgages and to enact other provisions in lieu thereof,
was read a third time,
Mr Pierce moved to amend Section 7 of the bill by striking out the

word "chapter" and inserting in lieu thereof the word "act,"

Which motion prevailed,

Mr Pierce moved to amend Section 8, of the bill by striking out the words "this chapter and,"

Which motion prevailed,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER.—32

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~—8

Gentlemen absent and not voting were; Griffin, Helm, Kittredge, McBroom, Moss, Patten, Vijil—Wilkins, Geo. W. Wilson—9

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 188. a bill for an act to provide for the appointment of a board of school directors for the city of Black Hawk, and to repeal Sec. 1. of an act entitled an act to incorporate the city of Black Hawk,

approved February 10, 1865.

It was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER.—33

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~.—8

Gentlemen absent and not voting were; Helm, Kittredge, McBroom, Moss, Patten, Vijil, Wilkins, Geo. W. Wilson — 8.

The Title of the bill was amended so as to read "An act to repeal Section 1 of an act entitled an act to incorporate the city of Black Hawk, approved February 10, 1865,—relating to the appointment of a board of school directors for said city, and to enact other provisions in lieu thereof,"

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title ~~was~~ agreed to. as amended

And the House ordered

that the bill take effect immediately upon its final passage, as provided in the emergency clause therein contained.

H.B. No. 190. A Bill for an act to provide a fund for the building and maintenance of the Agricultural College of Colorado,

Was read a third time,

Mr Alford moved that further consideration of H.B. No. 190. be made a Special Order for 10.30 a.m tomorrow, Friday, January 26. 1877.

Which motion prevailed,

H.B. No. 199. A bill for an act to pay Herman Beckwith for printing 1000 copies of election laws,

Was read a third time

Mr Stokes moved to amend the bill by striking out the words (or figures) "two hundred and fifty dollars" and inserting in lieu thereof the words (or figures) "one hundred dollars",

Which motion was lost,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES, SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS~~, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. ~~SPEAKER~~ — 31

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES,~~ CARLISLE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM,~~ IRWIN, ~~KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD,~~ LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH,~~ STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 11

Gentlemen absent and not voting were; Kittredge, McBroom, Moss, Patten, Vigil, Wilkins, A.D. Wilson — 7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

But the bill not having received the votes of two-thirds of the members elected to the House,

The House did not order that the bill take effect as provided in the emergency clause therein contained,

Mr Phelps moved that the vote by which H.B. No. 199. was passed, be reconsidered,

Which motion prevailed,—

The question recurring upon the passage of the bill,

Mr. Surles moved to amend by striking out the words (or figures) "two hundred and fifty dollars," and inserting in lieu thereof, the words (or figures) "one hundred and fifty dollars."

Upon the motion to amend,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CAR~~LIL~~E, ~~ESQUIBEL, GOTTHELF,~~ GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKE~~R. *19*

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ALFORD, ~~ARCHULET~~A, CANFIELD, C~~HACON, CHAVES, CARLIL~~E, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRA~~Y, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES, SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. *— 23*

Gentlemen absent and not voting were; Esquibel, Helm, Kittredge, Moss, Patten, Vijil, Wilkins — 7

Mr. Phelps asked to be excused from voting, and

Mr. Adams moved that he be excused,

which motion was lost,

And as the motion to amend the bill did not prevail,

The question recurring upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES, SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 33.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 10

Gentlemen absent and not voting were; Helm, Kittredge, Moss, Patten, Vijil, Wilkins — 6.

Mr Adams explained as his reason for voting in favor of the passage of the bill to be that the emergency clause might take effect if the bill passes.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage, as provided in the emergency clause therein contained.

H. J. R. No. 11, recommending the passage by Congress of the Compromise Electoral Bill,

Was taken from General Orders,

And read a third time,

Mr McIntyre moved that further consideration of the H.J.R. No. 11, be indefinitely postponed,

Upon the motion to indefinitely postpone,

Mr Phelps moved the previous question,

Which was seconded by a vote of 25 in the affirmative on a rising vote,

And the main question was ordered.

The question being upon the motion to indefinitely postpone the Joint Resolution.

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY,~~ MOREHOUSE, ~~MOSS, PATTEN,~~ PHELPS, PIERCE, RAINEY, ~~RAND,~~ RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES,~~ SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. —26.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD,~~ LORD, LUTHER, ~~MAYER, MARSHMAN~~, ~~McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM~~, ~~SCHINNER,~~ SEIBER, ~~SIMMONS, SMITH,~~ STOKES, ~~SURLES~~, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 17

Gentlemen absent and not voting were:

Alberts, Helm, Moss, Patten, Vigil, Wilkins — 6

Mr Speaker said in ~~explan~~ explanation of his vote that he voted No on the motion to indefinitely postpone for the reason that he preferred to vote against the passage of the Joint Resolution on the question of its passage,

And so the motion to indefinitely postpone prevailed,

Mr Rand moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12.10 PM the House took a recess,

The House was called to order at two o'clock in the afternoon,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

a bill for an The Joint Committee on enrollment have examined H.B. No. 177.

AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR AND REGULATE THE HOLDING OF THE DISTRICT COURTS IN THE SEVERAL JUDICIAL DISTRICTS IN THIS STATE, AND THE MANNER OF COMMENCING AND ADJOURNING THE SAME, AND RETURN OF PROCESS, AND PROVIDING FOR TRANSFER OF CAUSES THEREIN, AND TO REPEAL ALL OTHER ACTS IN RELATION THERETO. approved Dec. 18, 1876,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2 o'clock, the Speaker, in the presence of the House signed H.B. No. 177. a bill for ~~an~~ act

ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR AND REGULATE THE HOLDING OF THE DISTRICT COURTS IN THE SEVERAL JUDICIAL DISTRICTS IN THIS STATE, AND THE MANNER OF COMMENCING AND ADJOURNING THE SAME, AND RETURN OF PROCESS, AND PROVIDING FOR TRANSFER OF CAUSES THEREIN, AND TO REPEAL ALL OTHER ACTS IN RELATION THERETO. approved Dec. 18, 1876

The Speaker announced as the committee on the part of the House created by the passage of S.C.R. No. 17, Messrs Kittredge and Irwin.

H.B. No. 233. A bill for an act to provide for the appointment of a commission to report a plan of organization of a State Reform School,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAM~~S, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ~~ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDG~~E, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—23

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~.—13.

Gentlemen absent and not voting were; Helm, Irwin, Kittredge, Laragoite, McBroom, McIntyre, Morehouse, Moss, Patten, Simmons, Vijil, Watts, Wilkins—13.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass,

Mr Phelps moved that the vote by which H.B. No. 233 failed to pass, be reconsidered,

Which motion prevailed,

The question recurring upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS,~~ ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON,~~ CHAVES, ~~CARLILE,~~ ~~ESQUIBEL, GOTTHELF,~~ GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE,~~ KRUSE, LAKE, ~~LANGFORD, LARAGOITE,~~ LEONARD, LORD, ~~LUTHER,~~ MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY,~~ MOREHOUSE, ~~MOSS, PATTEN,~~ PHELPS, PIERCE, ~~RAINEY, RAND,~~ RANSOM, SCHINNER, ~~SEIBER,~~ SIMMONS, SMITH, ~~STOKES,~~ SURLES, ~~VIJIL,~~ WATTS, ~~WILKINS,~~ WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 30

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD,~~ CHACON, ~~CHAVES,~~ CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD,~~ LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE,~~ McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE,~~ RAINEY, RAND, ~~RANSOM, SCHINNER,~~ SEIBER, ~~SIMMONS, SMITH,~~ STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 12

Gentlemen absent and not voting were: Kittredge, Laragoite, McIntyre, Moss, Patten, Vijil, Wilkins — 7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

By unanimous consent
The Committee on Stock presented the following report;

MR. SPEAKER:

Your Committee on Stock

to whom was referred H.B. No. 270. An act to amend an act providing for the payment for Stock killed by railroads and railway Companies, approved Feby 9. 1872

have had the same under consideration, and report it back with the recommendation that it be

A.D. Wilson *Chairman.*

H.B. No. 772. a bill for an act to authorize foreign administrators and ~~executors~~ Executors to act in this state,

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARACOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VILL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 43

And none in the negative

Gentlemen absent and not voting were, Eldridge, Laragoita, Moxey, Patton, Vijil, Wilkins — 6

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

Mr Mayer moved that the House do now go into Committee of the whole for the consideration of the Special Order for this day, being H.B. No. 36.

Which motion prevailed,

And the House resolved itself into Committee of the whole for the consideration of Special Order,

With Mr Morehouse in the chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker;- The Committee of the whole House have had under consideration the Special Order for this day, being "H.B. No. 36. A bill for an act to establish and provide means for the support of a department ~~of Insurance~~ to regulate Insurance companies doing business in the State of Colorado", have made some amendments

thereto as recommended by the Committee on Finance, Ways and Means, and instruct me to report the same back to the House and recommend that the amendments be agreed to;

P. E. Morehouse
Chairman,

Mr Mayer moved that the report of the Committee of the whole be agreed to,

Which motion prevailed

And the bill as amended was ordered engrossed,

The amendments proposed by the Committee on Finance, Ways and Means, and adopted by the Committee of the whole, had been printed by previous order of the House,

H.B. No. 270. a bill for an act to amend an act providing for the payment for stock killed by railroads and railway companies approved Feb. 9 1877

was read a first time,

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H. J. R. No. 8, Memorializing Congress to establish a mail route between Ouray and ~~[illegible]~~ Animas Forks

and find the same correctly enrolled.

A. A. Smith, Chairman.

Mr Phelps presented the following communication;

To the Honorable Speaker and House of Representatives of the State of Colorado,

Having been informed by the chairman of the Judiciary Committee, that there will, probably, not be much more work requiring the services of a clerk for that Committee: I hereby tender my ~~[illegible]~~ ~~[illegible]~~resignation, as clerk of said Committee, to take effect Feby 1st A.D. 1897.

H. P. Parmelee.

Mr Phelps moved that the communication be placed on

file for consideration on or after July 1st 1877.

Which motion prevailed.

Mr Canfield presented the following communication;

To the Honorable Speaker and House of Representatives of the State of Colorado.

Having been informed by the Chairman of the Committee on Finance, Ways & Means, that there will probably not be much more work requiring the services of a clerk for that Committee. I hereby tender my resignation as clerk of that Committee, to take effect July 1st A.D. 1877

A. C. Randall

Mr Smith moved that the communication be placed on file for consideration on or after Feby. 1st 1877.

Mr Adams moved as an amendment that the resignation of Mr Randall be accepted to take effect February 1. 1877

Which motion to amend prevailed,

The question recurring upon the motion as amended,

The motion prevailed.

The members of the Committee on the Judiciary were excused from attendance upon tomorrow mornings session of the House

Mr Phelps moved that the House do now adjourn,

Which motion prevailed;

~~adjourned~~ And at 4.55 P.M. the House adjourned to 10. A.M. tomorrow, Friday, Jany, 26, 1877

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Sixty-Third Day

Thirty-Third Day

Friday January 26th 1877.

House met at 10 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, ~~KRUSE, LAKE,~~ LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—42

Being a quorum of the House.

Absent Messrs Kruse, Lake, McIntire, Moss, Patten, Phelps, Vijil—7

Journal of the previous days session was read and approved.

The Committee on Printing presented the following report;

Mr Speaker—

The Committee on Printing report H.B. No. 45 printed short two sections, namely sections No. 12 and 13. Also H.B. No. 251 correctly printed,

J. Surles Chairman,

The Joint Committee on Enrollment presented the following reports;

MR. SPEAKER:

a Bill for The Joint Committee on Enrollment presented H. B. No. 177.

AN ACT TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR AND REGULATE THE HOLDING OF THE DISTRICT COURTS IN THE SEVERAL JUDICIAL DISTRICTS IN THIS STATE, AND THE MANNER OF COMMENCING AND ADJOURNING THE SAME, AND RETURN OF PROCESS, AND PROVIDING FOR TRANSFER OF CAUSES THEREIN, AND TO REPEAL ALL OTHER ACTS IN RELATION THERETO. approved Dec 18, 1876

to his Excellency, the Governor, for his approval, at 5 40 o'clock, P. m., January 25th A. D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on enrollment have examined H. J. R. No. 8, Memorial to the Honorable the Senate and House of Representatives of the United States of America in Congress assembled asking that a mail route be established between Ouray and Animas Forks in San Juan County"

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Engrossment presented the following report;

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 219. Bill for an act for the relief of Vilas C Bennett of Clear Creek County and Clarence P. Hoyt of Jefferson County,

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

The Committee on State Institutions presented the following report;

MR. SPEAKER:

Your Committee on State Institutions

to whom was referred H.B. No. 6 v. A Bill for an act to provide a seal for the supreme Court of Colorado

have had the same under consideration, and report it back with the recommendation that it be amended by striking out the first section of the bill and by making section two of the bill section three of the same and by inserting in lieu thereof two sections prepared by your committee and attached to the bill

C. W. Kittredge Chairman.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany 25, 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate requests the return of H.B. No. 20. for further consideration

Respectfully
Geo. F. Clark
Secy of the Senate;

Mr Simmons moved that the request by the Senate for the return to that body of H.B. No. 20. be complied with, which motion prevailed.

At 10.30 a.m. the hour having arrived for the Special Orders, being H.B. No. 102. and H.B. No. 190.

Mr Smith moved that the consideration of

H.B. No. 102. a bill for an act establishing a commissioner of Mines, and repealing all laws relating to Territorial assay offices,

which had been made a[s]
Special Order for the consideration in Committee
of the whole House at this hour, be postponed
until three o'clock this afternoon.

Which motion prevailed.

H.B. No. 190. a bill for an act
to provide a fund for the building and
maintenance of the Agricultural College of
Colorado

Was taken up

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.—36.

Gentlemen voting in the negative were:

Adams, Chacon, Kittredge,
Langford, McMurray, Pierce—6.

Gentlemen absent and not voting
were; Laragoite, Moss, Patten, Simmons,
Surles, Vijil, A.D. Wilson—7

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

At 10.50 A.M. the Speaker,
in the presence of the House, signed

H.J.R. No. 8. Memorializing
Congress to establish a mail route between

Ouray and Animas Forks.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 26. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate refuses to concur in amendments proposed by the House to S.B. No. 70.

Respectfully
Geo. T. Clark
Secy of the Senate.

Mr Watts moved that the House recede from its amendments to S.B. No. 70. A bill for an act to repeal Section 2 of an act entitled an act concerning costs in certain cases, ~~app~~ approved February 11, 1876.

The question being upon the motion to recede

~~The question being upon the passage of the bill,~~
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH, STOKES, SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~.—34,

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, ~~PIERCE, RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, ~~SURLES~~, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER—11

Gentlemen absent and not voting were; Moss, Patten, Stokes, Vijil—4.

A constitutional majority having voted in favor of reading,

The motion to read prevailed.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 26. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in the adoption of H.C.R. No. 17, and has appointed as members of Committee under such Resolution, on the part of the

Senate, Messrs Monaghan & Dillard,
H.C.R. No. 17. is herewith transmitted,

Respectfully
Geo. T. Clark
Secy of the Senate.

H.B. No 45, a bill for an act to provide for the protection, preservation and propagation of fish, and to repeal other acts in relation thereto,

was read a first time,

H.B. No. 125, a bill for an act to regulate the conditions of appeal bonds and supersedeas bonds when the judgment or decree complained of is for the recovery of lands or the possession thereof,

Also

H.B. No. 251, a bill for an act to submit to the qualified electors of the State of Colorado an amendment to Sec, 29 of Article 6, of the constitution of the State of Colorado concerning the Judicial department,

Also,

H.B. No. 270. a bill for an act to amend an act providing for the payment for Stock killed by railroads and railway companies, approved Feby. 9. 1872

Were read a second time,

And ordered to take their places on General Orders, to be considered in Committee of the whole House; when

Mr A.D. Wilson moved that H.B. No. 270. be recommitted to the Committee on Stock,

Which motion prevailed,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Irrigation relative to H.B. No. 24.

Majority report, recommending that the bill be indefinitely postponed,-

Minority report, recommending amendments, and that it be printed as amended,

Mr Rand moved that the report of the minority be agreed to,

Mr A.D. Wilson moved as an amendment that the majority report be agreed to,

Upon the motion to adopt the majority report

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~ ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM,~~ McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY, RAND, RANSOM,~~ SCHINNER, SEIBER, S~~IMMONS, SMITH~~, STOKES, S~~URLES~~, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 17

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, HELM, I~~RWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, ~~PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, S~~CHINNER, SEIBE~~R, SIMMONS, SMITH, ~~STOKE~~S, SURLES ~~VIJIL, WATTS, WILKINS, WILSON, A. D~~., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 24

Gentlemen absent and not voting were; Canfield, Graves, Carlile, Lothelf, Moss, Patten Vigil, Watts — 8,

And so the motion to amend, by adopting the majority report, did not prevail,

The ~~motion~~ question recurring upon the motion to adopt the minority report,

The motion prevailed,

Report of the committee on Irrigation, relation to H.B. No. 220.

Majority report, recommending amendments to the bill, and that it be printed as amended.

Minority report, recommending that it be read a first time and laid on the table,

Mr. Langford moved that the ~~report~~ majority report be agreed to.

Mr Simmons moved that the majority report be amended by striking out the recommendation that the bill be printed,

Which motion to amend was lost

The question recurring upon the motion to adopt the majority report.

The motion prevailed,

Mr A. D. Wilson moved that H.B. No. 24, and H.B. No. 220, be referred to a Special Committee of five before being printed,

Which motion was lost,

Mr Luther was granted leave of absence until Monday next at ten o'clock in the forenoon,

Mr Rand moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12. o'clock and 5 minutes the House took a recess.

The Speaker called the House to order at two o'clock in the afternoon,

Mr Wilkins was excused from attendance upon this afternoon session of the House,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Irrigation relation to petition asking the passage of a law by this General Assembly, to tax unproductive lands for irrigating purposes, recommending that it be laid on the table,

Mr Ransom moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on Irrigation relation to H.B. No. 81; recommending certain amendments thereto, and that it be read a first

and second times

Mr Rand moved that the report of the Committee be agreed to,

Which motion prevailed.

Mr Phelps moved that the vote by which the report of the committee was agreed to, be reconsidered;

Which motion prevailed.

The question being upon the motion to agree to the report of the Committee,

Mr Phelps moved as an amendment that the report and bill be laid on the Table,

Which motion prevailed,

Report of the Committee on Irrigation, relation to H.B. No. 106. recommending that it be read a first and second times, laid on the table and that it be not printed,

Mr Simmons moved that the report and bill be laid on the table,

Which motion prevailed,

Report of the committee on Irrigation relation to H.B. No. 82, recommending that it be read a first and second times; laid on the table, and that it be not printed,

Mr Rand moved that the report of the Committee and the bill be laid on the Table,

Which motion prevailed.

Report of the Committee on Irrigation, relation to H.B. No. 203. recommending that it be indefinitely postponed,

Mr Rand moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Irrigation, relation to H.B. No. 4V. recommending that it be indefinitely postponed,

Mr Rand moved that the report of the Committee ~~of the whole~~ be agreed to,

Which motion prevailed,

Report of the Committee on Federal Relations, relation to H.B. No. 84. — recommending an amendment to the enacting Clause,

Mr Young moved that the report of the Committee be agreed to,

Mr Phelps moved that the report ~~#~~ and bill be laid on the table,

Which motion prevailed,

Report of the Committee on Irrigation, relation to H.B. No. 230. recommending that it be indefinitely postponed,

Mr McIntyre moved that the report of the Committee be agreed to

Which motion prevailed,

Report of the Committee on

State Institutions, relative to S.B. No. 62. - recommending certain amendments thereto,

Mr Langford moved that the report of the committee be agreed to,

which motion prevailed.

And the ~~amendments~~ bill as amended was ordered printed.

H.B. No. 219. A bill for the relief of Silas C. Bennett of Clear Creek County, and Clarence P. Hoyt of Jefferson County,

Was read a third time,

Mr Kruse moved to amend the allowance to Silas C. Bennett, by striking out $307.25, and inserting in lieu thereof $252.25,

Which motion was lost,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 28

Gentlemen voting in the negative were:

Adams, Kruse, Langford, Lord, McMurray, Ransom, Stokes — 7

Gentlemen absent and not voting were: Canfield, Carlile, Helm, Irwin,

Lake, Larragoite, Luther, Moss, Patten, Phelps, Simmons, Vigil, Wilkins, A.D. Wilson — 14

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

Mr Rand moved that the vote by which H.B. No. 219, was passed, be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay on the table prevailed,

Mr McIntyre moved that H.B. No. 207, be taken from General Orders and referred to a Special Committee of three;

Which motion prevailed,

And the Speaker appointed as said committee

Messrs McIntyre, Helm and Irwin,

The hour having arrived, three P.M, for the consideration of the Special Order being

H.B. No. 102,

Mr Smith moved that the consideration of H.B. No. 102 be postponed until 11 a.m. tomorrow, January 27. 1877.

Which motion prevailed

Mr McIntyre moved that

the House do now go into committee of the whole for consideration of General Orders,

Which motion prevailed.

And the House resolved itself into committee of the whole

With Mr McIntyre in the Chair,

After some time spent therein the committee arose and through its Chairman presented the following report;

Mr Speaker - The Committee of the whole House have had under consideration,

H.B. No. 147. A bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the year A.D. 1878. and instruct me to report the same back to the House and recommend its passage,

Also,

H.B. No. 66. A bill for an act allowing the plaintiff or defendant to recover reasonable counsel, attorneys or solicitors fees of the opposing party as a part of the costs in certain cases, have made some amendments thereto, and instruct me to report the same back to the House with recommendation that the amendments be agreed

to, and recommend its passage as amended,

Also,

H.B. No. 67, a bill for an act authorizing county Clerks in the state of Colorado to administer oaths, and instruct me to report the same back to the House and recommend its passage,

Also,

H.B. No. 184 a bill for an act concerning toll roads and bridges, and instruct me to report the same back to the House with the recommendation that it be referred to the committee on Counties and County Lines,

Also,

S.B. No. 35, a bill for an act to regulate the compensation of the Mayor, Aldermen and Trustees of cities and towns, and instruct me to report the same back to the House with the recommendation that it be laid aside for the present and considered in connection with H.B. No. 117.

Also,

S.B. No. 55, a bill for an act to compel owners of coal mines to fence their Slack piles and abandoned pits, and instruct me to report the same back to the House and recommend its passage,

Also,

S.B. No. 67, a bill for an act to facilitate the recovery of ore taken by theft or trespass, to regulate the sale and disposal of the same, and for the better protection of mine owners, and instruct me to report the same back to the House and recommend its passage,

Also

S.B. No. 77, a bill for an act concerning interest have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended,

C. H. McIntyre
Chairman

Mr Ransom moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Smith moved that Mr Ransom be granted leave of absence until Tuesday next, January 30. 1877, at 10 oclock in the forenoon.

Which motion prevailed,

Mr McIntyre moved that Mr Leonard be be excused from attendance upon the sessions of the House until Monday next, January 29, 1877. at ten oclock

in the forenoon

Which motion prevailed.

The following message was received from His Excellency, the Governor;

State of Colorado
Executive Dept,
Denver Jany. 26. 1877.

To Hon W. D. Anthony
Speaker of House of Representatives
Sir:-

I have the honor to inform you that I have this day signed House Bill No. 177 entitled "An Act to amend Section one of an act entitled an act to regulate the holding of the District Courts in this State &c &c and have filed the same with the Secretary of State,

Very respectfully
John L Routt,

Mr McIntyre moved that the House do now adjourn,

Which motion prevailed,

And at 4.55 PM, the House adjourned to 10. AM. tomorrow, January 27. 1877.

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Sixty-Fourth Day

Sixty Fourth Day

Saturday Jany. 27. 1877

House met at 10. a. m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER—43

Being a quorum of the House.

Absent Messrs Leonard, Luther, Moss, Patten, Ransom, Vijil—6.

Journal of the previous day's session was read and approved,

The joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint [illegible]

Memorial asking that a mail route [illegible] established between Ouray and Animas Forks [illegible] San Juan County

to his Excellency, the Governor, for his approval, at 3 o'clock P. m., January 26th A.D. 1877

[illegible]

Chairman on the part of the House of the Joint Com[illegible]

The Committee on Fees and Salaries presented the following report:

Mr. Speaker:

Your Committee on Fees and Salaries to whom was refferred H.B. No. 94. An Act exempting firemen as Jurors and from paying a poll tax in the State of Colorado

have had the same under consideration, and report it back with the recommendation that it be passed

J. T. Simmons Chairman.

The Special Committee having in charge H.B. No. 104 presented the following report:

Mr. Speaker:

Your ~~Committee on~~ Special Committee to whom was referred H.B. No. 104 A Bill for an act to regulate the practice of medicine

have had the same under consideration, and report it back with the recommendation that it be passed

A. A. Smith Chairman.

Mr Rand presented the following resolution and moved its adoption:

Whereas a just equitable and peaceful settlement of the present Presidential complications is or should be the greatest desire of all good men of all parties, and, Whereas Believing that the Compromise Bill for the fair and peaceful count of the electoral vote, recently passed by both branches of the National Legislatures is likely to bring about the desired result,

Therefore Be it resolved, that the thanks of this House be tendered to our Senators Hon. J. B. Chaffee and Hon H. M. Teller for the support and votes given by them in favor of that measure,

Upon the motion to adopt the resolution,

Mr Phelps moved the previous question,

Which was seconded by ~~ss~~ by a rising vote,

And the main question was ordered.

Upon which,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 12

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 26

Gentlemen absent and not voting were; Alberts, Green, Irwin, Langford, Leonard, Luther, Moss, Patten, Ransom, Seiber, Vijil — 11.

And so the motion to adopt the resolution did not prevail;

By unanimous consent

The Committee on the Judiciary presented the following report:

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 228. A Bill for an act to repeal an act entitled an act concerning practice approved February 4. 1876. and to enact other provisions in lieu thereof

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A. C. Phelps *Chairman.*

Mr. Speaker:

Your Committee on Judiciary to whom was referred H.B. No. 235, A Bill for an act to amend Chapter 11, of the revised Statutes

have had the same under consideration, and report it back with the recommendation that it be referred to the Committee on Stock

A. C. Phelps Chairman.

Mr. Speaker:

Your Committee on Judiciary to whom was refferred H.B. No. 50. a Bill for an act to repeal an act entitled an act concerning practice in the District and Probate Courts, Approved February 4, 1876

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A C Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 709, A Bill for an act to amend an act entitled an act concerning the Release of Mortgages

have had the same under consideration, and report it back with the recommenda-tion that it be laid on the table

A. C. Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary

to whom was refferred H.B. No. 227. A Bill for an act to legalize the service of process made in accordance with the laws of Colorado Territory as they existed prior to February

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A. C. Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was refferred H.B. No. 64. A Bill for an act concerning escheated estates the manner of receiving and controlling the same

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A. C. Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was refferred H. B. No. 95, A Bill for an act to repeal an act to amend Chapter 55 of the revised Statutes of Colorado entitled "Limitations" approved Feby. 4. 1876

have had the same under consideration, and report it back with the recommendation that it be passed

A. C. Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary

to whom was refferred H. B. No. 63. A Bill for an act to repeal Section 7 of Chapter 35 of the revised Statutes of the Territory of Colorado and enact other provisions in lieu thereof

have had the same under consideration, and report it back with the recommendation that it be passed

A. C. Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary
to whom was refferred "H.B." No. 55, A Bill for an act relating to jurisdiction of Justices of the Peace and the practice of Justice Courts

~~have~~ *had the same under consideration, and report it back with the recommendation that it be* amended in the first and second sections by changing "one hundred and fifty" to "two hundred" and that it be passed as amended

A C Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary
to whom was refferred "H.B." No. 89 A Bill for an act relating to the rights and duties of Landlord and Tenant

~~have~~ *had the same under consideration, and report it back with the recommendation* ~~that it be~~ by a majority of said committee that it be passed

A C Phelps *Chairman.*

The Committee on Engrossment presented the following reports,

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 229. A Bill for an act to repeal an act entitled an act concerning acknowledgment of Deeds and other instruments in writing relating to real estate approved Feby. 13. 1874 and to enact other provision in lieu thereof

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 196 a Bill for an act concerning Indians

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 265

A Bill for an act for the relief of the widow of C Dominiques

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 221,

A Bill for an act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive Legislative and Judicial Departments and to repeal all acts inconsistent with this act

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H.B. N. 206

A Bill for an act to appropriate moneys to pay for the capture and return of fugitives from Justice

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr. Speaker:

Your Committee on Engrossment have examined H.B. No. 236,

A Bill for an act to amend the Charter of Georgetown

and find the same correctly engrossed.

N. C. Alford, Chairman.

H.B. No. 106 a Bill for an act to regulate the practice of medicine,

Was read a first time,

H.B. No. 94. a Bill for an act ~~to~~ exempting firemen as jurors and from paying poll-tax in the State of Colorado,

Also,

H.B. No. 45, a Bill for an act to provide for the protection, preservation, and propagation of fish, and to repeal other acts in relation thereto etc,

Were read a second time and placed on General Orders to be considered in Committee of the whole House,

Reports of Committees were taken ~~at~~ up and disposed of as follows;

Report of the Judiciary Committee relative to H.B. No. 60, recommending that it be laid on the table,

Mr A.D. Wilson moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relative to H.B. No. 235. recommending that it be laid on the table,

Mr Marshman moved

that the report of the Committee be agreed to,

Which motion prevailed;

Report of the Judiciary Committee relation to H.B. No. 704, recommending that it be laid on the table,

Mr G. W. Wilson moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relation to H.B. No. 228, recommending that it be laid on the table,

Mr Kruse moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the ~~Committee~~ Judiciary Committee, relation to H.B. No. 50, recommending that it be laid on the table,

Mr Kruse moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Judiciary Committee relation to H.B. No. 227, recommending that it be laid on the table,

Mr Marshman moved ~~that the report of the Committee be~~

agreed to,

Which motion prevailed,

Report of the Judiciary Committee relation to H.B. No. 55, recommending certain amendments thereto,

Mr Lord moved that the report of the Committee be agreed to,

Which motion prevailed,

At Eleven A.M. the hour having arrived for the consideration of the Special Order for that hour, being H.B. No. 107,

Mr Phelps moved that the Special Order be postponed until Eleven A.M. Tuesday next, January 30, 1877, at which time it be considered in committee of the whole and that the bill be recommitted at this time to the committee on Mines and Mining,

Which motion prevailed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jan. 27, 1877.

To the Honorable
The House of Representatives
of the State of Colorado;

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 79, & H.B. No 28, both of which are herewith transmitted, The concurrence of the House in the passage of S.B. No. 79. is requested,

Respectfully
Geo T Clark
Secy of the Senate,

S.B. No. 67, a bill for an act to facilitate the recovery of ore taken by theft or trespass; to regulate the sale and disposal of the same, and for the better protection of Mine Owners,

Was read a third time,

Mr Marshman moved to amend Sec 1 of the bill by adding thereto the words; "Provided, this act shall not apply to Mills engaged in milling or crushing custom ores";

Which motion to amend did not prevail,

Mr Marshman moved to amend Sec 1 of the bill by inserting in the third paragraph thereof, after the word "weight" the words "or amount"

Which motion to amend prevailed,

Mr Simmons moved to amend section 3. by adding thereto the following words: "and in all actions the fact that a false entry has been made shall be prima facia evidence that the same was made willfully or knowingly."

Mr McIntyre moved that further consideration of S.B. No. 67 be postponed until Monday next at three oclock in the afternoon,

Which motion was lost,

The question recurring upon the motion of Mr Simmons to amend

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, C~~ ~~ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE, KRUSE,~~ ~~LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN,~~ PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 20

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES,~~ ~~VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. 15

Gentlemen absent and not voting were;

Alberts, Chaves, Irwin, Kittredge, Langford, Laragoite, Leonard, Luther, Moss, Patten, Ransom, Vijil, A.D. Wilson, Young — 14

And so the motion to amend prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE, KRUSE~~, LAKE, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 29

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 11

Gentlemen absent and not voting were;

Irwin, Kittredge, Laragoite, Leonard, Luther, Moss, Patten, Ransom, Vijil — 9

Mr McBroom asked to be excused from voting, and

Mr McIntyre moved that he be excused,

Which ~~was~~ motion was lost; —

Mr A. D. Wilson asked to be excused from voting, and

Mr Phelps moved that he be excused,

Which motion was lost,

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr Phelps moved that the vote by which H.B. No. 67. was passed, be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay on the table prevailed,

H.B. No. 77. A bill for an act concerning interest,

Was read a third time,

Mr Morehouse moved to amend Sec. 3 by adding thereto the following words; "And if any rate of interest shall have been agreed upon in writing between the parties to any bond, bill promissory note or other instrument of writing shall be allowed upon the Judgement obtained thereon until the same is satisfied, Provided said rate of interest after judgement shall only be computed on the face of the note and not upon accrued interest"

Which motion to amend did not prevail,

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 79. "An Act to provide for publication and distribution of official reports" Also, S.B. No. 10. An act to extend the right of suffrage to women of lawful age and otherwise qualified according to the provisions of the constitution"

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 12 M, the Speaker, in the presence of the House, signed

S.B. No. 79. A bill for an act to provide for publication and distribution of official reports,

Also,

S.B. No. 10. A bill for an act to extend the ~~rigth~~ right of suffrage to women of lawful age and otherwise qualified according to the provisions of the constitution,

Mr Esquibel moved that Mr

Simmons be granted leave of absence until Monday, February 5. 1877.

Which motion prevailed,

Mr Marshman moved that the House do now adjourn,

Mr Helm, moved as an amendment that the House do now adjourn until two oclock this afternoon,

Which motion the Speaker ruled out of order,

Whereupon,

Mr Helm ~~moved~~ appealed from the decision of the chair,

The chair was sustained,

And the question recurring upon the motion to adjourn,

The motion did not prevail

Mr Watts moved that the House do now take a recess until two oclock this afternoon,

Which motion prevailed,

And at 12.05. P.M. the House took a recess.

House was called to order at two o'clock in the afternoon by the Speaker,

S.B. No. 55 a bill for an act to compel owners of coal mines to fence their slack piles and abandoned pits,

Was read a third time,

Mr Phelps moved that further proceedings under third reading of bill be suspended for the day.

Which motion prevailed,

By unanimous consent The Committee on Mines and Mining presented the following report:

MR. SPEAKER:

Your Committee on Mines and Mining to whom was referred H.B. No. 107. "A Bill for an act to establish the office of commissioner of mines, and to repeal an act entitled an act to "establish a Territorial assay Office approved Jany 10. 1868" also, "An act to establish assay offices in Colorado Territory, approved Feby. 8. 1872" also an act to establish assay offices in Colorado Territory approved Feby 10th 1874," also an act to amend an act entitled an act to establish assay offices in Colorado Territory, approved Feby 11. 1876 have had the same under consideration, and report it back with ~~the recommendation that it be~~ amendments thereto and recommend that the amendments be agreed to and that the bill be printed as amended by the Committee

H W Lake Chairman.

Mr Phelps moved that the report of the committee be agreed to,

Which motion prevailed,

Mr Phelps moved that the vote by which S.B. No. 77, passed, be reconsidered.

Which motion prevailed,

Messrs McBroom, Smith - Marshman, and Lake were excused from attendance upon this afternoons session of the House,

Mr A.D. Wilson moved that the House do now go into Committee of the whole for the consideration of General Orders,

Which motion prevailed

And the House ~~ot~~ resolved itself into committee of the whole,

With Mr Geo. W. Wilson in the chair,

After some time spent therein the committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration ~~S.B. No.~~ "S.M. & J.R. No. 3. asking Congress to establish and maintain a mint for coinage at Denver," and instruct me to

report the same back to the House and recommend its passage; Also, S.M. & J.R. No. 8. Asking Congress for grant of arid lands for irrigating purposes," and instruct me to report the same back to the House and recommend its passage; also,

H.B. No. 48. a bill for an act to provide for regulating prosecutions in cases of bastardy", and instruct me to report the same back to the House with the recommendation that its consideration be passed over for the present and that it retain its place on General Orders; Also,

H.B. No. 58. a bill for an act to repeal ~~Chapter~~ Sec, 16. of Chapter 55. of the revised Statutes of Colorado" have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended; Also

H.B. No. 65. a bill for an act to enable Counties having a debt exceeding $5,000. to fund the same by issuing bonds", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended,

Geo. W. Wilson
Chairman

Mr Phelps moved that the report of the Committee of the whole be agreed to;

Which motion prevailed

Mr Rand moved that H.B. No. 196 be read a third time and put upon its final passage now

Upon this motion

Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ~~ARCHULET~~A, CANFIEL~~D~~, CHAC[illegible]
~~ESQUIBEL, GOTTHELF~~, GREEN, G~~RIFFIN~~, HELM, ~~IRWIN~~, KITT[illegible]
~~LANGFORD, LARAGOIT~~E, ~~LEONARD, LORD, LUTHE~~R, MAYER, [illegible]
~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIER[illegible]
~~RAINE~~Y, RAND, ~~RANSOM, SCHINNE~~R, SEIBER, SIMMONS, ~~SMITH, STOKES, SURLES,~~
~~VIJI~~L, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., Y~~OUNG, MR. SPEAKER~~. —16

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE,
~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~,
LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~,
~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, ~~MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~,
~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES,
~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. —13

Gentlemen absent and not voting were;

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAV~~[illegible]
ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTRED~~[illegible]
~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, ~~MAYER~~, MARS[illegible]
McDERMITT, ~~McINTIR~~E, McMURRAY, MOREHOUSE, MOSS, PATTEN, ~~PHELPS, PIERCE~~,
RAINEY, ~~RAND~~, RANSOM, S~~CHINNER, SEIBER, SIMMON~~S, SMITH, ~~STOKES, SURLES~~,
VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. —20

And so the motion prevailed

Mr Phelps moved that

the House do now adjourn;

Which motion prevailed,

And at thirty-seven minutes after three o'clock in the afternoon, the House adjourned to Monday next, January 29, 1877, at ten o'clock in the morning.

House Journal

of the

General Assembly

of the

State of Colorado

Third Session

Sixty Fifth Day

[illegible] Fifth Day

Monday Jany. 29th 1877

House met at 10 a.m

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, [redacted], LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~ Marshman, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~ PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, ~~SMITH~~ Smith, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Being a quorum of the House. 41

Absent Messrs Alberts, Luther, Moss, ~~[illegible]~~, Rainey, Ransom, Simmons, Vijil, Wilkins - 8

Messrs Alberts, Smith, Luther and Rainey were excused from attendance upon todays session of the House,

Journal of the previous days session was read and approved,

The Judiciary Committee presented the following reports.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H. B. No. 254 a Bill for an act to amend Section 11 of Chapter 72 of the revised Statutes of Colorado

have had the same under consideration, and report it back with the recommendation that it be amended as by an amended bill herewith transmitted and that said amended bill be printed and passed as amended

A. C. Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H. B. No. 57 a Bill for an act to repeal an act entitled an act to provide for the assessment and collection of Revenue of the money and credits of non residents, approved February 11 1876

have had the same under consideration, and report it back with the recommendation that it be laid on the Table

A. C. Phelps Chairman.

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.B. No. 257 a Bill for an act to legalize the proceedings of the Probate Court of Rio Grande County

have had the same under consideration, and report it back with the recommendation ~~that it be~~ by a majority of said Committee, that it be amended as by an amended bill herewith transmitted and that as amended the bill be printed and passed

A. C. Phelps Chairman.

Having reported the above mentioned Bill according to the direction of the Committee I desire to say that while I should like very much to have the proceedings of the Probate Court of Rio Grande County legalized in divorce matters if it can be done, I have doubts as to the constitutionality of the proposed Bill even as amended and am not therefore prepared at least at this time to endorse the Committees recommendations in toto

A. C. Phelps

The Committee on Enrollment presented the following report;

Mr. Speaker:

Your Committee on Enrollment have examined H.B. No. 28 — A Bill for an act to establish the County of Pruett

and find the same correctly enrolled.

~~A. A. Smith, Chairman.~~

Geo Rand,

Member of the Committee on ~~Enrollment~~

Mr Phelps presented the following resolution;

Resolved that on and after Thursday February 1st, the daily sessions of this House shall begin at 9.15 A.M. except as otherwise specially ordered.

Mr. Phelps moved that the resolution be adopted,

Which motion prevailed,

Mr Watts moved that the resolution introduced by Mr Ransom, to provide for three sessions of this House, daily,

be now taken from the table,

Which motion prevailed,

Mr Watts moved that the resolution be adopted,

Mr Stokes moved to amend the resolution by providing that it shall take effect on the first day of February,

Which motion was lost,

The question recurring upon the motion to adopt the resolution,

The motion did not prevail,

H.B. No. 79. a bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange, and promissory notes, in the holding of Courts and relation to the continuance of suits,

Also

H.B. No. 53, a bill for an act relating to the jurisdiction of justices of the peace and the practice of Justice courts,

Also,

H.B. No. 63. A bill for an act to repeal Sec. 7 of Chapter 35, of the revised statutes of the Territory of Colorado, and enact other provisions in lieu thereof,

Also,

H.B. No. 59. a bill for an act relating to the rights and duties of landlord

and tenants.

~~Rise,~~

H.B. No. 235, A Bill for an act to amend Chapter 11 of the revised statutes of Colorado,

Were read a first time,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 29. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 119. A bill for an act to provide for the payment of the balance due A.R. Dyer and C Dominguez for translating the Constitution of Colorado into the Spanish language. The concurrence of your Honorable body is respectfully requested,

S.B. No. 119. is herewith transmitted

Respectfully
Geo. F. Clark
Secy of the Senate

H.B. No. 95. A bill for an act to repeal an act to amend chapter 55 of the

revised statutes of Colorado, entitled Limitations, approved February 11, 1876.

Also,

H.B. No. 104, a bill for an act concerning the practice of medicine,

Also

H.B. No 246, a bill for an act concerning irrigation,

Were read a second time and placed on General Orders to be considered in Committee of the whole House,

Reports of committees were taken up and disposed of as follows;

Report of the Judiciary Committee relation to H.B. No. 57, recommending that it be laid on the table,

Mr Kruse moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relation to H.B. No. 254, recommending the adoption of a substitute and that the Substitute be printed,

Mr Watts moved that the report of the Committee ~~be adopted~~, be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relation to H.B No. 257.

Majority, recommending

adoption of substitute

Minority, doubting the constitutionality of the bill,

Mr Kruse moved that the report of the majority be agreed to,

Which motion prevailed.

Mr Rand moved that the order of third reading of bills be dispensed with for the forenoon.

Which motion prevailed,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 28, An Act to establish the County of Routt,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 11.22 A.M. the Speaker, in the presence of the House, signed,

H B No. 98 a bill for an act to ~~establish~~ create and establish the County of Routt.

Mr Pierce moved that the House do now go into committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Mayne in the Chair,

After some time spent ~~there~~ therein the committee arose and through its Chairman presented the following report; Mr Speaker; The Committee of the whole House have had under consideration "H B No 68 a bill for an act concerning Lotteries" and instruct me to report the same back to the House with the recommendation that it be laid on the table; Also, "H B No. 96 a bill for an act to provide for the branding and care of Stock, and to repeal all previous acts in relation thereto and instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present; Also, "H B No. 212 a Bill for an act in

relation to "Municipal Corporations," and instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present.

J. C. Mayer
Chairman

Mr Smith moved that the report of the Committee of the whole be agreed to,

Which motion prevailed.

Mr Rand moved that the House do now take a recess until 1.30 P.M. to day,

Which motion prevailed

And at 11.40 A.M. the House took a recess.

House was called to order at 1.30 P.M. by the Speaker,

Messrs Searles and Stokes moved a call of the House,

And the roll was called, when

Mr McIntyre moved that further proceedings under the call of the House be dispensed with,

Mr Kruse moved that the House do now go into Committee of the whole for the consideration of Bills on General Orders,

Which motion prevailed, and

The House resolved itself into Committee of the whole,

With Mr McIntyre in the chair,

After some time spent therein the committee arose and through its Chairman presented the following report;

"Mr Speaker; The Committee of the whole House have had under consideration "H.B No. 75. A bill for an act to provide for the branding and care of stock, and to repeal all previous acts in relation thereto," and instruct me to report the same back to the House with the recommendation that it be made a Special Order for Thursday February 1st 1877, at 10 o'clock in the forenoon, in Committee of the whole House,

C.H. McIntyre

Chairman

Mr Alford moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

S.B. No. 55. A Bill for an act to compel owners of Coal mines to fence their Slack piles and abandoned pits,

Having been read a third

time on a previous day.

Was taken up for final passage,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 37

And none in the negative,

Gentlemen absent and not voting were; Alberts, Canfield, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Smith, Vijil. 12

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S.B. No. 147, A Bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the year 1878.

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 34

Gentlemen absent and —

Gentlemen voting in the negative were; Carlile, Kittredge, Langford, McBroom — 4.

Gentlemen absent and not voting were; Alberts, Canfield, Gotthelf, Helm, Lake, McDermitt, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Smith, Vijil, — 14.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S. M. & J. R. No. 3, asking Congress to establish a Mint for coinage at Denver.

Was read a third time.

The question being upon the passage of the joint resolution,

The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 36

And none in the negative.

Gentlemen absent and not voting were; Alberts, Canfield, Chacon, Esquibel, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Vijil — 13.

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint resolution passed.

H. J. R. No. 8 [illegible]

for grant of arid lands for irrigating purposes

Was read a third time.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—29

Gentlemen voting in the negative were:

Chaves, Green, Kittredge, Watts, Young—5

Gentlemen absent and not voting were;

Alberts, Archuleta, Canfield, Chacon, Gotthelf, Helm, Irwin, McBroom, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Vijil—15.

A constitutional majority having voted in favor of the passage of the joint resolution,

The joint resolution passed,

H. B. No. 66, a Bill for an act allowing the plaintiff or defendant to recover reasonable counsel, attorneys or Solicitors fees of the opposing party as a part of the costs in certain cases,

Was read a third time.

... question being upon the passage of the bill,

The "yeas" and "nays" were had,

Gentlemen ~~at~~ voting in the affirmative were;

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 15

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 23

Gentlemen absent and not voting were;

Alberts, Archuleta, Chacon, Gotthelf, Griffin, Moss, Phelps, Rainey, Ransom, Simmons, Vijil — 11.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass.

Mr Helm moved that the vote by which H.B. No. 66 failed to pass be reconsidered [illegible]

[illegible] the [illegible]

[illegible]

House Journal

of the

General Assembly

of the

State of Colorado

Third Session

[illegible] Fifth Day

Monday Jany. 29th 1877

House met at 10 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, Lake, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, Marshman ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, Smith ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 77

Being a quorum of the House. 41

Absent Messrs Alberts, Luther, Moss, ~~[illegible]~~, Rainey, Ransom, Simmons, Vijil, Wilkins - 8

Messrs Alberts, Smith, Luther and Rainey were excused from attendance upon todays session of the House,

Journal of the previous days session was read and approved,

The Judiciary Committee presented the following reports,

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H. B. No. 254 a Bill for an act to amend Section 11 of chapter 72 of the revised Statutes of Colorado

have had the same under consideration, and report it back with the recommendation that it be amended as by an amended bill herewith transmitted and that said amended bill be printed and passed as amended

A. C. Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H. B. No. 57 a Bill for an act to repeal an act entitled an act to provide for the assessment and collection of Revenue of the money and credits of non residents, approved February 11. 1876.

have had the same under consideration, and report it back with the recommendation that it be laid on the Table

A. C. Phelps *Chairman.*

MR. SPEAKER:

Your Committee on Judiciary

to whom was referred H.R. No. 257. A Bill for an act to legalize the proceedings of the Probate Court of Rio Grande County

have had the same under consideration, and report it back with the recommendation ~~*that it be*~~ by a majority of said Committee, that it be amended as by an amended bill herewith transmitted and that as amended the bill be printed and passed

A. C. Phelps *Chairman.*

Having reported the above mentioned Bill according to the direction of the Committee I desire to say that while I should like very much to have the proceedings of the Probate Court of Rio Grande County legalized in Divorce matters if it can be done, I have doubts as to the constitutionality of the proposed Bill even as amended and am not therefore prepared at least at this time to endorse the Committees recommendations in toto

A. C. Phelps

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 28—

A Bill for an act to establish the County of Pratt

and find the same correctly enrolled.

~~*A. A. Smith, Chairman.*~~

Geo Rand,

Member of the Committee on ~~Enrollment~~

Mr Phelps presented the following resolution;

Resolved that on and after Thursday February 1st, the daily sessions of this House shall begin at 9.15 A.M. except as otherwise specially ordered.

Mr Phelps moved that the resolution be adopted,

Which motion prevailed,

Mr Watts moved that the resolution introduced by Mr Ransom, to provide for three sessions of this House, daily

be now taken from the table,

Which motion prevailed,

Mr Watts moved that the resolution be adopted,

Mr Stokes moved to amend the resolution by providing that it shall take effect on the first day of February,

Which motion was lost,

The question recurring upon the motion to adopt the resolution,

The motion did not prevail,

H.B. No. 49. a bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange, and promissory notes, in the holding of Courts and relation to the continuance of suits,

Also,

H.B. No. 55, a bill for an act relating to the jurisdiction of justices of the peace and the practice of justice courts,

Also,

H.B. No. 63 a bill for an act to repeal Sec. 9 of chapter 35, of the revised statutes of the Territory of Colorado, and enact other provisions in lieu thereof,

Also,

H.B. No. 89. a bill for an act relating to the rights and duties of landlord

and tenants

Also,

H.B. No. 235, A Bill for an act to amend Chapter 11 of the revised statutes of Colorado,

Were read a first time,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 24. 1877.

To the Honorable
The House of Representatives
of the State of Colorado;

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 119. A bill for an act to provide for the payment of the balance due A. R. Dyer and O. Dominguez for translating the Constitution of Colorado into the Spanish language, The concurrence of your Honorable body is respectfully requested,

S.B. No. 119. is herewith transmitted

Respectfully
Geo. F. Clark
Secy of the Senate

H.B. No. 95. A bill for an act to repeal an act to amend Chapter 55 of the

revised statutes of Colorado entitled limitations, approved February 11, 1876.

Also,

H.B. No. 104, a bill for an act concerning the practice of medicine,

Also

H.B. No. 246, a bill for an act concerning irrigation,

Were read a second time and placed on General Orders to be considered in committee of the whole House,

Reports of committees were taken up and disposed of as follows;

Report of the Judiciary Committee relation to H.B. No. 58, recommending that it be laid on the table,

Mr Kruse moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relation to H.B. No. 254, recommending the adoption of a substitute and that the Substitute be printed,

Mr Watts moved that the report of the Committee ~~be adopted~~, be agreed to,

Which motion prevailed,

Report of the Judiciary Committee, relation to H.B. No. 257,

Majority, recommending

adoption of substitute

Minority, doubting the constitutionality of the bill,

Mr Kruse moved that the report of the majority be agreed to,

Which motion prevailed.

Mr Rand moved that the order of third reading of bills be dispensed with ~~the~~ for the forenoon,

Which motion prevailed,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 28. An Act to establish the County of Routt,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 11.22 A.M. the Speaker, in the presence of the House, signed,

H.B. No. 98 a bill for an act to ~~establish~~ create and establish the County of Routt.

Mr Pierce moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Mayer in the Chair,

After some time spent ~~there~~ therein the Committee arose and through its Chairman presented the following report,

Mr Speaker; The Committee of the whole House have had under consideration "H.B. No. 68 a bill for an act concerning Lotteries" and instruct me to report the same back to the House with the recommendation that it be laid on the table; Also,

"H.B. No. 96. A bill for an act to provide for the branding and care of Stock, and to repeal all previous acts in relation thereto," and instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present;

Also, "H.B. No. 212 a Bill for an act in

relation to Municipal Corporations", and instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present,

J. C. Mayer
Chairman

Mr Smith moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Rand moved that the House do now take a recess until 1.30 P.M. to day,

Which motion prevailed

And at 11.40 A.M. the House took a recess,

House was called to order at 1.30 P.M. by the Speaker,

Messrs Surles and Stokes moved a call of the House,

And the roll was called, when

Mr McIntyre moved that further proceedings under the call of the House be dispensed with,

Mr. Kruse moved that the House do now go into Committee of the whole for the consideration of Bills on General Orders,

Which motion prevailed, and

The House resolved itself into Committee of the whole,

With Mr McIntyre in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker: The Committee of the whole House have had under consideration, "H.B. No. 75, A bill for an act to provide for the branding and care of stock, and to repeal all previous acts in relation thereto," and instruct me to report the same back to the House with the recommendation that it be made a Special Order for Thursday February 1. 1877, at 10 o'clock in the forenoon, in Committee of the whole House,

C.H. McIntyre
Chairman

Mr ~~H~~ Alford moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

S.B. No. 55. A Bill for an act to compel ~~to~~ owners of coal mines to fence their slack piles and abandoned pits,

Having been read a third

time as a previous day

Was taken up for final passage,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 37

And none in the negative,

Gentlemen absent and not voting were; Alberts, Canfield, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Smith, Vijil - 12

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 147, A Bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the year 1878.

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. - 31

Gentlemen absent and

Gentlemen voting in the negative were; Carlile, Kittredge, Langford, McBroom 4.

Gentlemen absent and not voting were; Alberts, Canfield, Gotthelf, Helm, Lake, McDermitt, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Smith, Vijil, – 14.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S. M. & J. R. No. 3, asking Congress to establish a Mint for coinage at Denver,

Was read a third time.

The question being upon the passage of the joint resolution,

The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. – 36

And none in the negative,

Gentlemen absent and not voting were; Alberts, Canfield, Chacon, Esquibel, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Vijil – 13.

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The joint resolution passed.

[illegible] asking Congress for grant of arid lands for irrigating purposes

Was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAIN~~EY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—29

Gentlemen voting in the negative were:

Chaves, Green, Kittredge, Watts, Young—5

Gentlemen absent and not voting were;

Alberts, Archuleta, Canfield, Chacon, Gotthelf, Helm, Irwin, McBroom, Moss, Phelps, Rainey, Ransom, Schinner, Simmons, Vijil—15.

A constitutional majority having voted in favor of the passage of the joint resolution,

The joint resolution passed,

H. B. No. 66. a Bill for an act allowing the plaintiff or defendant to recover reasonable counsel, attorneys or Solicitors fees of the opposing party as a part of the costs in certain cases,

Was read a third time

question being upon the passage of the bill,

The "yeas" and "nays" were had,

Gentlemen ~~at~~ voting in the affirmative were;

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAV~~[illegible]E,
~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, [illegible]E,
~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMA[illegible]M,
~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE,
~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES~~,
~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 15

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHA[illegible]CA[illegible]
ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE, K~~[illegible]~~USE,~~ [illegible]E,
LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM,
McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~,
~~RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, STOKES, SURLES,
~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 23

Gentlemen absent and not voting were;

Alberts, Archuleta, Chacon, Gotthelf, Griffin, Moss, Phelps, Rainey, Ransom, Simmons, Vijil — 11.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass.

Mr Helm moved that the vote by which H.B. No. 66. failed to pass be reconsidered,

And that the ~~motion to reconsider~~ passage of the bill be made a Special Order for two o'clock tomorrow afternoon.

Mr. [illegible] moved that the motion to reconsider be laid on the table,

And upon the motion to lay on the table demanded the "Yeas" and "nays"

Which were had with the following result;

Gentlemen voting in the affirmation were;

Adams, Chaves, Carlile, Esquibel, Langford, Laragoite, Lord, McBroom, McDermitt, Rand, Stokes, Wilkins, A. D. Wilson — 13

Gentlemen voting in the negation were;

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE,~~
~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,
~~LANGFORD, LARAGOITE,~~ LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~,
~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE,
[illegible] ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES,
~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 25

Gentlemen absent and not voting were;

Alberts, Archuleta, Chacon, Gotthelf, Griffin, Moss, Phelps, Rainey, Ransom, Simmons, Vijil, — 11

And so the motion to lay on the table did not prevail,

The question recurring upon the motion ~~to make the motion~~ to reconsider ~~a Special Order for two o'clock tomorrow~~

~~afternoon~~

The motion prevailed,

H.B. No. 67, A Bill for an act authorizing ~~Coun~~ County Clerks in the state of Colorado to administer oaths,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.—39

And none in the negative,

Gentlemen absent and not voting were: Alberts, Gotthelf, Moss, Phelps, Rainey, Rand, Ransom, Simmons, Vigil, A.D. Wilson, —10.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 196, A Bill for an act concerning Indians,

Was read a third time,

Mr Canfield moved to amend the bill by adding thereto the following:

Section 2. Whereas Indians are now in the mountains waiting to get through toll gates, it is the opinion of this

General assembly that an emergency exists requiring this act to take effect immediately, therefore it shall take effect and be in force from and after its passage;

Which motion to amend was lost.

Mr. Stokes moved to amend by inserting in Sec. 1 of the bill, after the word "Indian" the words "Negroes and Chinaman"

Which motion to amend did not prevail.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERT~~S, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES~~, CARLILE,~~ ESQUIBEL, ~~GOTTHEL~~F, GREEN, GRIFFIN~~, HELM~~, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE, LEONARD~~, ~~LORD, LUTHE~~R, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRA~~Y, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELP~~S, PIERCE, ~~RAINEY, RAND, RANSO~~M, SCHINNER, SEIBER~~, SIMMONS, SMITH, STOKES~~, SU~~RLES~~, ~~VIJI~~L~~, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., Y~~OUNG, MR. SPEAKER.~~ — 19

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, C~~HAVES,~~ CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWI~~N, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM, ~~McDERMIT~~T, McINTIRE, McMURRAY, ~~MOREHOUS~~E, ~~MOSS, PATTEN, PHELPS, PIERCE,~~ ~~RAINE~~Y, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS,~~ SMITH, STOKES, ~~SURL~~ES, ~~VIJI~~L, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 20

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Simmons, Vijil, Young — 10

A constitutional majority

not having voted in favor of the passage of the bill.

The bill failed to pass.

H.B. No. 206 A bill for an act to appropriate moneys to pay for the capture and return of fugitives from justice.

Was read a third time.

Mr. Irwin moved to amend by striking out "$3,000," the amount of the appropriation, and inserting in lieu thereof "$5,000."

Mr. A.D. Wilson moved as an amendment that the amount be placed at "$2,500."

Which motion was lost.

The question recurring upon the motion to insert "$5,000," instead of "$3,000."

Mr. Baird demanded the "yeas" and "nays"

which were had with the following result:

Gentlemen voting in the affirmative were:

Greece, Irwin, Luther, McIntyre, Moorhouse, Watts — 6

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—32.

~~Gentt~~ Gentlemen absent and not voting were;

Alberts, Archuleta, Gotthelf, Helm, Moss, Phelps, Rainey, Ransom, Simmons, Vijil, Young—11.

And so the motion to amend did not prevail.

The question being upon the passage of the bill,.
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.—34.

Gentlemen voting in the negative were;

Adams, Archuleta, Langford, McMurray, Stokes—5.

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, Moss Phelps, Rainey, Ransom, Simmons, Vijil, Young.—11.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H. B. No. 221, a bill for an act to provide for issuing ~~war~~ warrants by the Auditor in payment of rent and contingent expenses of the Executive, Legislative and Judicial departments, and to repeal all acts inconsistent with this act,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER—37

And none in the negative,

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, Moss, Phelps, Rainey, Rand, Ransom, Simmons, Stokes, Vijil, Young—12.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained

H. B. No. 229 a bill for an act to repeal an act entitled

an act concerning acknowledgments of deeds and other instruments in writing relating to real estate, approved Feby. 13. 1874, and to enact ~~to~~ other provisions in lieu thereof,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

Alford, Archuleta, Mayer, Marshman, Pierce, Watts, Mr Speaker—7

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULET~~A, CANFIELD, CHACON, CHAVES, C[illegible] ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, K[illegible] LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER, MARSHMAN~~, M[illegible] ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLE~~S, ~~VIJIL, WATT~~S, WILKINS, WILSON, A. D., WILSON, GEO. W., Y~~OUNG, MR. SPEAKER~~.—31

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, McDermitt, Moss, Rainey, Ransom, Simmons, Surles, Vijil, Young—11,

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass,

H.B. No. 236. A Bill for an act to amend the Charter of Georgetown

Was read a third time,

The question being upon

the passage of the bill,

The "Yeas" and "Nays" were had,

Gentlemen voting in the affirmative were;

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRU[illegible]LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, [illegible]ROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, [illegible]ERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 39

And none in the negative,

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, Moss, Rainey, Ransom, Schinner, Simmons, Vijil, Young — 10

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S.B. No. 77, A bill for an act concerning interest,

Having been once passed,

And the vote by which it passed, having be reconsidered,

Was again taken up for passage,

Mr Pierce moved that the vote by which the amendment offered by Mr Morehouse to Sec. 3 of the bill on Saturday last, was lost, be recon-

sidered,

Upon which the "yeas" ~~and~~ and "nays" were had.

Gentlemen voting in the affirmation were

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES~~, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 19

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE,~~ ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 18

Gentlemen absent and not voting were;

Alberts, Gotthelf, Griffin, Helm, Moss, Rainey, Ransom, Simmons, Smith, Vijil, A.D. Wilson, Young — 12

Mr Phelps explained his vote by saying that he voted "Yea" in order to give the mover of the amendment a chance to explain the same preparatory to a final vote.

And so the motion to reconsider prevailed.

The question recurring upon ~~the~~ ~~motion~~ amendment offered by Mr Morehouse, to add to Sec. 3, the following words; And if any rate of interest shall

have been agreed upon in writing between the parties to any bond, promissory note or other instrument of writing shall be allowed upon the judgment obtained thereon until the same is satisfied;— Provided, said rate of interest after judgment shall only be computed on the face of the note and not upon accrued interest."

The "Yeas" and "Nays" were had

Gentlemen voting in the affirmative were;

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. —12

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —25

Gentlemen absent and not voting were;

Alberts, Archuleta, Gotthelf, Green, Helm, Langford, Moss, Rainey, Ransom, Simmons, Vijil, A.D. Wilson—12

And so the motion to amend the bill did not prevail,

Mr. Pierce moved to amend the bill by adding the following;

Sec. 6. Inasmuch as it is ~~thought~~ believed that the State Warrants now issued and to be issued within the next 90 days will be greatly enhanced in value if the provisions of a portion of this act take effect without delay, and this General Assembly is of the opinion that this act should take effect without delay, therefore this act shall take effect and be in force immediately—

Which motion to amend prevailed,

Mr Phelps moved to amend Sec 4 of the bill by inserting before ~~the~~ word "warrant" the words "State and County",

Which motion prevailed,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.—36

Gentlemen voting in the negative were:

Adams, Lord, —2

Gentlemen absent and not voting were;

Alberts, Archuleta, Gotthelf,

McDermitt, Moss, Rainey, Ransom, Simmons, Stokes, Vijil, A.D. Wilson — 11.

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And, the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

H.B. No. 265, a bill for an act for the relief of the widow of C Dominguez,

Was read a third time,

The question being upon the passage of the bill.

The "Yeas" and "Nays" ordered,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS,~~ ALFORD, ARCHULETA, CANFIELD, ~~CHACON,~~ CHAVES, ~~CARLILE,~~ ~~ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN,~~ KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY,~~ MOREHOUSE, ~~MOSS,~~ PATTEN, ~~PHELPS,~~ PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS,~~ SMITH, ~~STOKES,~~ SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~.-26

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER.-12

Gentlemen absent and not voting were: Alberts, Chacon, Gotthelf, Helm, Mayer, Moss, Phelps, Rainey, Ransom, Simmons, Vijil — 11

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

The Joint Committee on Enrollment presented the following reports:

MR. SPEAKER:

The Joint Committee on enrollment have examined S.B. No. 70 an act to repeal Sec. 2 of an act entitled an act concerning costs in certain cases, approved Feby 11, 1876

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 10 a Bill for an act to extend the right of suffrage to women of lawful age and otherwise qualified according to the provisions of the Constitution; Also S.B. No. 79 An act to provide for publication and distribution of official reports *to his Excellency, the Governor, for his approval, at* 12¹⁰ *o'clock,* P *m.,* January 29. A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 28,

An Act to establish the County

of Routt

to his Excellency, the Governor, for his approval, at 12 o'clock, ... m.,

January 29. A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The following message was received from His Excellency the Governor,

State of Colorado
Executive Dept,
Denver Jany. 29. 1877

Hon W. H. Anthony,
Speaker of House of Representatives
Sir;

I have the honor to inform you that I have this day signed House Bill No. 28 entitled "An Act to establish the County of Routt," and have filed the same with the Secretary of State

Very respectfully
John L Routt
Governor

At 4:30 P.M. the Speaker, in the presence of the House signed

S.B. No. 70. A bill for an act to repeal Sec. 2. of an act entitled an act concerning costs in certain cases, approved Feby. 11. 1876.

The Committee on Engrossment presented the following report;

MR. SPEAKER:

Your Committee on Engrossment have examined H. B. No. 232, a Bill for an act concerning costs in criminal cases, approved Feby. 11, 1876.

and find the same correctly engrossed.

N. C. Alford, Chairman.

By unanimous consent H. B. No. 232, a bill for an act concerning costs in criminal cases, approved February 11 1876.

Was read a third time

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —34

Gentlemen voting in the negative were:

Chaves, Lord, Wilkins —3

voting were;

Adams, Albertz, Archuleta, Gottlieb, Hulen, Maes, Phelps, Rainey, Ransom, Simmons, Smith, Vigil—12

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr Alford moved that the House do now adjourn,

Which motion prevailed,

And at 4:30 P.M. the House adjourned to 10. A.M. tomorrow, Tuesday, January 30. 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Sixty Sixth Day

Sixty Sixth Day

Tuesday January 30th 1877

House met at 10. A.M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM,~~ IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARRAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 45

Being a quorum of the House.

Absent Messrs Helm, Larragoite, Moss, Simmons — 4

Journal of the previous days session was read.

Mr A.D. Wilson moved that the order of business be suspended in order to admit a motion to reconsider the vote by which H.B. No. 237 was passed on yesterday,

Which motion was lost.

Mr Stokes moved to amend the Journal by transposing the order of reading of the message from His Excellency, the Governor, relation to H.B. No. 28, and the report of the joint committee on Enrollment relation to the same bill,

And ~~on~~ upon this motion Mr A.D.,

Wilson demanded the "Yeas" and "Nays" Which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 18

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W~~., YOUNG, MR. SPEAKER. — 26

Gentlemen absent and not voting were;

Laragoite, Moss, Rainey, Simmons, Wilkins — 5,

And so the motion to amend the Journal did not prevail.

And the Journal was approved as read,

Mr Ransom presented the remonstrance of citizens of Longmont against the passage of H.B. No. 36.

The Committee on Printing presented the following report;

Mr. Speaker;

The Committee on Printing report H.B. No. 220. correctly printed

F. Surles. Chairman

The Committee on Indian Affairs presented the following report;

Mr Speaker:

Your Committee on Indian Affairs to whom was referred H.B. No. 179. "A Bill for an act relating to Divorce". Also, H.B. No. 80. A Bill for an act concerning weights and measures" have had the same under consideration, and report the same back with the recommendation that they be laid on the table.

Geo. W. Wilson,
Chairman

The Select Committee having in charge H.B. No. 44. presented the following report:

Mr Speaker.

Your Select Committee to whom was referred H.B. No. 44, A Bill for an act to provide for the ~~collection~~ assessment and collection of revenue and to repeal certain acts in relation thereto, with instructions to inquire into and recommend the best mode of assessing the property of Railway Corporations, have had the ~~same~~ matter under consideration and a majority of your Committee respectfully recommend that certain Sections that they have framed and which are hereto attached be made a part of the bill and be severally numbered

Sections 13, 14, 15, 16, 17 and 18 and, that in the first line of Section 12 the words, "other than Railway" be inserted after the word "Corporation", and that the word "Railway" be stricken from the second line of same section.

C. W. Kittridge
D. F. Wilkins
C McIntyre
Richd Irvine
P. E. Morehouse.

Your committee also recommend that the section herewith transmitted be adopted as Section 38 of said bill and that the following changes in the several sections of dates be made; in line 3 of Sec. 42 the word "third" before Monday be stricken out and the word "first" be substituted therefor, and the word "July" in same line be stricken out and the word "August" be substituted therefor, And in Section 44 first line the word "August" be stricken out and the word "September" be substituted therefor, and that in Section 45 the word "September" be stricken out wherever it occurs in said Section and the word "October" be substituted therefor, and that in the 6th line of Sec. 47 the words "20th day of September" be stricken out and the words "first day of November" be inserted in lieu thereof.

Your Committee have also had the

matter of Agricultural Statistics under consideration, and recommend that the paragraph hereto attached be added to Sec, 23 of the bill

C. W. Kittredge
Alva Adams

Mr Stokes presented the following resolution;

Whereas; The present legislative session has already been a protracted one - and must, on account of the number of bills yet to be considered remain in further session for an indefinite period, It is therefore the sense of this House, as a duty due their constituency and the tax paying people of the State _ that an evening session of this House is necessary to complete the work now before it, at the earliest possible moment.

Therefore be it Resolved, That on and after the 1st day of February 1877, there be every evening until otherwise ordered, a session of this House commencing at the hour of 7.30 oclock P.M and no motion to adjourn be entertained until 9 oclock P.M. of any day.

Mr Ransom moved that the resolution be referred to a special Committee

of five.

Which motion prevailed.

And the Speaker announced as such Special Committee,

Messrs Ransom, Stokes, Watts, McIntyre, Carlile.

Mr A. D. Wilson moved that the vote by which H.B. No. 232, was passed on yesterday, be reconsidered,

Which motion was lost,

S.B. No. 119. A Bill for an act to provide for the payment of the balance due A. R. Dyer and C. Dominguez for translating the Constitution of Colorado into the Spanish language,

Also,

H.B. No. 220, a Bill for an act relating to adulterated liquors,

Also,

H.B. No. 254. A Bill for an act to amend Sec. 11 of Chapter 72. of the revised Statutes of Colorado relating to the abandonment of claims upon the public domain.

Also,

H.B. No. 257. a Bill for an act to legalize the proceedings of the Probate Court of Rio Grande County heretofore had in ~~relation~~ divorce cases.

were read a first time,

S.B. No. 29. A Bill for an act to designate the holidays to be observed in the acceptance ~~of~~ and payment of bills of exchange and promissory notes, in the holding of Courts and relation to the Continuance of [illegible],

Also,

H.B. No. 55, A Bill for an act relating to the jurisdiction of Justices of the Peace and the practice of justice Courts,

Also,

H.B. No. 89, A Bill for an act relating to the rights and duties of landlord and tenant,

Were read a second time and placed on General Orders to be considered in committee of the whole House,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Indian Affairs, relation to H.B. No. 80. ~~recom~~ recommending that it be laid on the table,

Mr Stokes moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Indian Affairs, relation to H.B. No. 129.

recommending that it be laid on the table,

Mr Stokes moved that the report of the Committee be agreed to,

Which motion prevailed,

By unanimous consent

The Committee on Printing presented the following report;

Mr Speaker;

The Committee on Printing report House Bills No. 24, & 102 correctly printed.

Z. Sexton,
Chairman,

Mr Rand moved that the the House do now go into Committee of the whole for the consideration of the Special Order for this day, being H.B. No. 102, and other bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Wilkins in the chair,

After some time spent there in the Committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "H.B. No. 102, A bill for an act to establish the office of Commissioner of mines,

and to repeal an act entitled an act to establish a Territorial assay office, approved January 10. 1868, Also an act to establish assay offices in Colorado Territory, approved February 8. 1872; Also an act to establish assay offices in Colorado Territory, approved February 10. 1874; Also an act to amend an act entitled an act to establish assay offices in Colorado Territory, approved February 11. 1876," have made some progress, and instruct me to report the same back to the House and ask leave to sit again at 2 o'clock this afternoon,

D. F. Wilkins,
Chairman,

Mr Smith moved that report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Smith moved that the House do now take a recess until 2 o'clock this afternoon,

Which motion prevailed,

And at 12. M. the House took a recess.

The House was called to order at 2 o'clock by the Speaker.

Mr Kittredge moved that H.B. No. 44 be made a Special Order for tomorrow morning after the reading of the Journal, and that the House resolve itself into committee of the whole at that time for the consideration of the bill,

Which motion prevailed.

H.B. No. 66, a bill for an act allowing the plaintiff or defendant to recover reasonable counsel, attorneys or solicitors fees of the opposing party as a part of the costs in certain cases,

Having been made a Special Order for two o'clock,

Was taken up,

The vote by which it failed to pass having been reconsidered,

The question recurred upon the passage of the bill,

And the "yeas" and "nays" were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CAR[illegible]~~ ~~ESQUIBEL, GOTTHELF, [illegible]N~~, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAR[illegible]~~ ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. - 23.

Gentlemen voting in the negative were;

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER, SEIBER, SIMMONS~~, SMITH, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 22

Gentlemen absent and not voting were;

Griffin, Laragoite, Moss, Simmons — 4.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass;

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 30. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 26. to provide for formation of Corporations,

S.B. No. 31. To provide for establishment of a Fiscal Agency.

S.B. No. 54 To provide for Public Printing, and

S.B. No. 177. To repeal Sec. 223 of Chapter 22

of the revised Statutes
All of which are herewith transmitted.
The concurrence of the House is requested,
Also
That the Senate has concurred in the amendments proposed by the House to S.B. No. 77. "A Bill for an act concerning Interest"

Respectfully
Geo. T. Clark
Secy of the Senate

The House resolved itself into Committee of the whole for the further consideration of H.B. No. 10?.

with Mr Wilkins in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following ~~rep~~ report

AN ACT ENTITLED AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY, APPROVED FEBRUARY 11, 1876."

have made some amendments thereto and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended.
Also,

"H.B. No. 217 a bill for an act to provide for the expenses of the office of Commissioner of Mines for the years 1877 and 1878." have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended; also, "H.B. No. 225 a Bill for an Act relating to the assessment of the value of the improvements, in actions brought to recover real property, or the possession thereof", have made some amendments thereto, and ~~instru~~ instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended.

W. F. Wilkins
Chairman.

Mr. Watts moved that the report of the Committee of the whole ~~for~~ be agreed to.

Which motion prevailed.

And the amendments proposed by the Committee of the whole were ordered printed;

And H.B. No. 102, H.B. No. 217, & H.B. No. 222 were ordered engrossed.

The following message was received from the Senate;

State of Colorado.
Senate Chamber
Denver January 30th 1877.

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 25. Entitled "A Bill for an Act to repeal certain laws relating to Corporations" herewith transmitted. The concurrence of the House is requested.

Respectfully
Geo. T. Clarke
Secy. of the Senate.

Mr Langford moved that the House do now adjourn,

Which motion was lost,

Mr Phelps moved that the House do now go into Committee of the whole for the consideration of H.B. No. 48.

Which motion prevailed.

And the House resolved itself into Committee of the whole,

With Mr Mayer in the chair.

Before transacting any business the Committee arose,

Mr Canfield moved that the House do now adjourn,

Which motion was lost;

Mr Adams moved that the House do now go into Committee of the whole for the consideration of S.B. No. 35,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr, A.D. Wilson in the chair,

After some time spent ~~ther~~ therein the Committee arose and through its chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "S.B No. 35. A Bill for an act to regulate the compensation of the Mayor, Alderman & Trustees of Cities and Towns", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended,

A.D. Wilson
Chairman.

Mr McIntyre moved that

the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the Whole were ordered printed,

Mr McDermitt moved that the vote by which the resolution was passed, providing that until otherwise ordered, on and after the first day of Feby, the House shall meet at 9.15 A.M., be reconsidered,

Mr Ransom moved that the House do now adjourn,

Which motion prevailed,

And at 5.10 P.M, the House adjourned to 10 A.M. tomorrow, Wednesday, January 31, 1899

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Sixty-Seventh Day

Sixty-Seventh Day

Wednesday January 31st 1877

House met at 10 A.M.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 42

Being a quorum of the House.

Absent Messrs. Alberts Chacon, Chaves, Esquibel, Laragoite, Moss, Simmons — 7

Journal of the previous days session was read and approved.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 70 An Act to repeal Sec. 2 of an act entitled an act concerning costs in certain cases, approved February 11th 1876

to his Excellency, the Governor, for his approval, at 9.20 o'clock a.m., January 31st A.D. 1877

Geo. W. Wilson,
Chairman on the part of the House of the Joint Com. on Enrollment.

The time having arrived for the consideration of the Special Order, being H.B. No. 44.

The House resolved itself into Committee of the whole.

And Mr Ransom resumed the chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration "H.B No. 44. A Bill for an act to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto," and instruct me to report the same back to the House with the recommendation that it be made a Special Order, in Committee of the whole House, at 10.15 A.M. Tuesday next, Feby. 6. 1877, and that the amendments proposed by the Special Committee of seven, and also amendments proposed in Committee of the whole, by Mr Phelps be ordered printed.

Daniel Ransom,
Chairman.

Mr McIntyre moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr. Deaver presented numerous petitions, signed by citizens of Fremont County, praying for the passage of H.B. No. 241.

Which were referred to the Committee on Counties & County Lines.

The Committee on Printing presented the following report;

Mr. Speaker:—

The Committee on Printing report House Bill No. 62, with the following correction; Sec. 1 line 10 for "view" read "vine", Also, H.B. No. 63 and 104, correctly printed

L. Sneller.
Chairman.

The Committee on Engrossment presented the following report;

Mr. Speaker:

Your Committee on Engrossment have examined H.B. No. 30, A Bill for an act to establish and to provide means for the support of a department to regulate Insurance Companies doing business in the State of Colorado

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

The Committee on Education presented the following reports:

MR. SPEAKER:

Your Committee on Education *to whom was referred* H.B. No. 13. A Bill for an act to amend an act to raise, amend and consolidate the acts relating to the Public Schools approved Feb'y 11, 1876 *have had the same under consideration, and report it back with the recommendation that it be* laid on the table — as its provisions are included in the general bill on the subject — By order of the Committee

P. E. Morehouse *Chairman.*

MR. SPEAKER:

Your Committee on Education *to whom was referred* A Memorial from the Mayor and City Council of Denver praying this General Assembly to make some provision towards the establishment of a Reform School beg leave to report the same back with the information that a bill has been introduced on the subject ~~have had the same under consideration, and report it back with the recommendation that it be~~

By order of the Committee

P. E. Morehouse *Chairman.*

Mr. Speaker:

Your Committee on Education

to whom was referred H. R. No. ~~16~~ 165 Entitled An act concerning Paupers

have had the same under consideration, and report it back with the recommendation that it ~~be~~ lay on the table

By order of Committee

P. C. Moorhouse *Chairman.*

The Special Committee having in charge the resolution offered yesterday by Mr. Stokes, relation to the daily sessions of the House, presented the following report,

Mr. Speaker; Your Special Committee to which was referred the preamble and resolution, offered by Mr. Stokes, in relation to holding evening sessions, have had the same under consideration, and beg leave to report it back to the House with an amendment, as follows: to wit; Strike out all after the word "Resolved" - and ~~insert in lieu thereof~~ insert the following; "That on and after the first day of February 1877,

after the daily morning sessions of this House, recesses shall be taken, for afternoon and evening sessions at such hours as may be agreed upon, ~~and evening sessions at such hours as may be agreed upon~~, unless otherwise ordered by the House,"

And we recommend that the amendment be agreed to, and that the resolution as amended be put upon its passage.

All of which is respectfully submitted

Daniel Ransom
John H. Stokes,
Jas N Carlile
J. Jeff. Watts.

Mr Smith moved that the report of the Committee be agreed, to,

Mr Phelps moved that the motion to agree be laid on the table,

Which motion prevailed,

S.B. No. 24. A Bill for an act to provide for the formation of Corporations,

Also,

S.B. No. 25, A bill for an act to repeal certain acts relating to ~~Corporations~~ Corporations,

Also,

S.B. No. 31, A Bill for an

act to provide for the establishment of a Fiscal Agency for the State of Colorado in the city of New York, and prescribing the duties of officers in relation thereto,

Also,

S.B. No. 54. A Bill for an act to provide for the public printing and publishing and distribution of the laws,

Also

S.B No. 127. a bill for an act to repeal Sec. 223. of Chapter 22 of the revised Statutes, and to enact other provisions in lieu thereof,

Were read a first time,

S.B. No. 119. a bill for an act to provide for the payment of the balance due A.R. Dyer and C Dominguez for translating the constitution of Colorado into the Spanish language,

Also,

H.B. No. 24. A Bill for an act to prohibit and punish importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a commissioner of Excise, and prescribing his duties,

Also,

H.B. No. 63.

A Bill for an act to repeal

Sec. 7. of Chapter 35. of the revised statutes of the Territory of Colorado, and enact other provisions in lieu thereof.

Also

H.B. No. 220. a bill for an act relating to adulterated liquors,

Were read a second time,

And placed on General Orders to be considered in Committee of the whole House.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Jany. 30. 1877.

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has reconsidered the vote whereby it refused on the 24th instant to concur in certain amendments proposed by the House to S.B. No 38. "a Bill for an act to provide for the exercise of the Right of Eminent Domain" and has taken the following action thereon.

Has amended the House amendment No 2 in Sec. 6 as follows.

Insert after the word "ascertained" in line

16 in said Section "Provided further that the Judge or the Court before or wherein any such proceedings are had shall determine the amount such petitioner shall be required to pay or deposit, pending any such ascertainment" & has refused to concur in the amendments proposed by the House as follows; Amendments to Sections 7. 13. 17. 14 and 15, Also

That the Senate has passed S.B. No. 36. "An act prohibiting the herding of Sheep near Towns and Cities"

S.B's No's 36 & 38 are herewith transmitted and the concurrence of the House requested.

Respectfully
Geo. F. Clark
Secy of the Senate.

Reports of Committees were taken up and disposed of as follows;

Report of the committee on Education, relation to H.B. No. 13, recommending that it be laid on the table,

Mr Smith moved that the report of the Committee be agreed,

Which motion prevailed.

Report of the committee on Education, relation to H.B. No. 165 recommending that it be laid on the table,

Mr Lord moved that the

report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Claims, relative to H.B. No. 267, recommending amendments thereto,

Mr Phelps moved that the report of the Committee be agreed to,

Which motion prevailed,

Mr Phelps was excused from attendance upon the remainder of this forenoons session of the House,

S.B. No. 35, A Bill for an act to regulate the compensation of the Mayor, Alderman and Trustees of Cities and Towns

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, ~~IRWIN~~, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 3

Gentlemen voting in the negative were:

Kittredge, Rainey, Ransom, Vijil — 4

Gentlemen absent and not voting were;

Canfield, Chacon, Helm, Leonard, Moss, Simmons, Stokes, Watts — 8

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

H.B. No. 36 A bill for an Act to establish and to provide means for the support of a department to regulate Insurance Companies doing business in the State of Colorado,

Was taken up for third ~~ser~~ reading,

Pending the reading of the bill,

Mr Smith moved that its further consideration be postponed until 2 o'clock this afternoon,

Which motion was lost.

Mr Ransom moved that the House do now take a recess until 2 o'clock ~~this~~ afternoon,

Which motion prevailed,

And at 12 M. the House took a recess.

The House was called to order at two o'clock in the afternoon by the Speaker,

Mr Mayer moved that the further consideration of H.B. No. 36,

which was being read a third time, at the time the House took a recess, be postponed for the day,

Which motion prevailed.

Mr Rand moved that the House do now resolve itself into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Adams in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

"Mr Speaker:- The Committee of the whole House have had under consideration "H.B. No. 774. A bill for an act relating to preserving evidence of death and heirships", and instruct me to report the same back to the House with the recommendation that it retain its place on the calendar; Also, "H.B. No. 775. A bill for an act to amend the ~~laws~~ existing laws of forcible entry and detainer in respect to ~~service~~ service, notice, demand and process", and instruct me to report the same back to the House with the ~~recom~~

recommendation that it retain its place on the calendar; Also, "S.B. No. 24, a bill for an Act relating to Bonds and interest thereon, heretofore issued by Counties, Cities and Towns, in aid of railroads and wagon-roads and other purposes" have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend its passage as amended; Also, H.B. No. 101. a Bill for an act prescribing an Educational qualification for electors," and instruct me to report the same back to the House with the recommendation that it retain its place on the calendar; also,

S.B. No. 30. a bill for an act for the protection of wild game and insectivorous birds," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, the bill printed as amended, and recommend its passage as amended; Also,

H.B. No. 151. a bill for an act relating to the Supreme Court Library," have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that

the amendments be agreed to, and that it be passed as amended; also,

"H.B. No. 160, a bill for an act concerning Notaries Public",
and instruct me to report the same back to the House with the recommendation that it retain its place on the Calendar;
Also,

"H.B. No. 193, a Bill for an act to establish roads and cartways on section lines," and instruct me to report the same back to the House with the recommendation that it be laid on the table; also,

"H.B. No. 194, a bill for an act concerning grants for what purpose, and how controlled," and instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also,

"H.B. No. 204 a bill for an act to provide for the expenses of locating the public lands," and instruct me to report the same back to the House ~~with the recommendation that~~ and recommend its passage;
Also,

"H.B. No. 197 a bill for an act to provide for the ordinary expenses of the Executive, Legislative and Judicial departments of the State, interest on the public debt and for ~~the~~ public schools" and instruct me to report the same

back to the House with the recommendation that its further consideration be postponed for the present; Also,

"H.B. No. 79 a bill for an act to amend Chapter 44 of the revised Statutes of Colorado," and instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also

"S.B. No. 125 a bill for an Act to regulate the conditions of appeal bonds and supersedeas bonds, where the judgment or decree complained of is for the recovery of land or in the possession thereof," and instruct me to report the same back to House with the recommendation that it retain its place on the Calendar; Also,

"H.B. No. 250, a bill for an Act to encourage the destruction of Grasshoppers, and to raise a special fund therefor in the State of Colorado", have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended; Also,

"H.B. No. 251, a bill for an Act to submit to the qualified electors of the State of Colorado, an amendment to Sec. 29 of Art 6 of the

Constitution of the State of Colorado Concerning the Judicial Department" have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and that it be passed as amended,

Alva Adams,
Chairman,

Mr Wilkins moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the several amendments proposed by the Committee of the whole were ordered printed,

Mr Rand moved that Mr Moorhouse be granted leave of absence for three days,

Which motion prevailed

Mr Wilkins moved that the House do now adjourn;

Which motion prevailed,

And at five o'clock in the afternoon the House adjourned to 9.15 A.M. tomorrow, Feby. 1. 1877.